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No. 121

Legislature of Ontario Debates

Official Report (Hansard)

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Second Session, Thirty-Second Parliament
Monday, October 18, 1982

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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The death of the Honourable John Parmenter Robarts, PC, CC, QC, former Premier of Ontario, was announced to the House by the Premier, the Honourable William Davis.

Mr. Davis expressed the sorrow of the House and the people of Ontario on the death of Mr. Robarts and paid tribute to Mr. Robarts's service and contribution to the province, in which tribute he was joined by Mr. David Peterson, leader of Her Majesty's loyal opposition, and by Mr. Elie Martel, House leader of the New Democratic Party.

In respect to Mr. Robarts's memory, the House, after observing a minute's silence, then adjourned at 2:33 until Tuesday, October 19.

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LEGISLATURE OF ONTARIO

Monday, March 18, 1982

The House met at 2:15 p.m.

Prayers.

DEATH OF JOHN P. ROBARTS

Hon. Mr. Davis: Mr. Speaker, the very tragic passing of John Robarts is truly a sad moment for our province and our country. He was a man and a leader of courage and great conviction. He had a sense of this province and of this country that few could duplicate. He really felt at home with all Ontarians and for him all Ontario was his home.

He led this province through many challenges of growth and expansion. He was part of much of the framework of some of the institutions and social programs that we as Ontarians enjoy today. He was a great force within our own political party, a man who always believed that good government was good politics.

I think a lot of Ontarians and Canadians will remember him as a man who spoke for our province within the context of Canada with a vision that was balanced with understanding and tolerance. Canadians in our sister province of Quebec will remember him in particular as a man who worked with former Premiers Lesage and Johnson to build bridges of understanding and co-operation between those two great provinces of Canada.

Ontarians will always remember John Robarts as a man they could trust, as a man whose word was his bond, whose leadership reflected his commitment to fairness and whose personal style was one of the neighbour you liked and the friend you trusted.

His passing today was all the more tragic since, as recently as a few nights ago, some of us saw him making what we thought was such great progress in spite of the massive stroke he had some months ago. He put up a fight with tremendous energy, both emotional and physical, and he did that every day and every hour of his life.

We mourn the passing of John Robarts, and I do it in a very personal sense, as he was a great help to me. He gave me great sustenance when I was a minister under his direction, and he shared with me some of his advice and views when I assumed responsibility as Premier of this province.

He was a unique person who loved life, who had fun in what he did, a person who through example set certain guidelines that others have tried to emulate. In my view he represents a certain part of history in this province, and I think historians will not only treat that sense of history with respect but also with a very real sense of value.

2:20 p.m.

It is not customary, but I know the members opposite will understand if I express in a very personal way on behalf of Kathleen, who was a friend of John's, her sympathies to the members of the family.

On behalf of the government and the people of this province I express our profound sense of loss, but also on this occasion a sense of gratitude for his years of service and commitment. If I may, on behalf of Canadians in many parts of this country I take the liberty of expressing our sorrow at the passing of a truly great citizen for whom the unity and survival of this nation were always the highest priority.

Mr. Peterson: John Robarts and Ontario: for me the two are and always will be indivisible, Mr. Speaker. I have no doubt that this is true for thousands of Ontarians who today mourn the death of this great man.

My first memories of Mr. Robarts go back to my youth in London. I remember him first and foremost as a man of warmth, friendliness and humour, a big man in every sense of the word; a man of stature and importance, yet one who had time to recognize and acknowledge a young man like myself, the son of his opponent in the game of politics.

It was in 1955 that my father ran against John Robarts in the riding which I now hold and, of course, John Robarts defeated my father. As a young man I was passionately devoted to my father's cause, but it was impossible for me not to respect and admire the man who had carried off the prize which my father had tried so hard to achieve.

Since that occasion, I have got to know Mr. Robarts on many occasions, sometimes working

with him. Sometimes our interests coincided and sometimes they were diametrically opposed but, regardless of the circumstances, my respect, admiration and, indeed, affection for the man never wavered. He was frequently my antagonist but never my enemy.

I believe that statement would be endorsed by the majority of opposition members, the members of my party now and those who served before and who had the good fortune of being in the Ontario Legislature then.

All of us will have personal recollections, things that mean a great deal to them personally, that symbolized what John Robarts was. One of the instances I remember so well was a testimonial dinner for John White in 1976. It was just after the provincial election in which three Liberal members were returned from the London area.

I remember there was a large Conservative gathering and a lot of jokes at everyone's expense, particularly that of the new members. But when John Robarts took the podium that night, in just two or three words he changed the tone completely. He elevated it, as he did frequently. He always had that capacity to elevate the tone of whatever group he was in. I will remember that evening as long as I live.

As leader of the official opposition, I would like to pay tribute to John Robarts for the manner in which he recognized the importance of good government and an effective opposition. This recognition went beyond mere words and empty gestures for it was under his aegis that the opposition was granted increased funding and support. In this, as in so many other instances, while he was of course partisan in his politics, he was always concerned with the importance of the democratic process.

John Robarts will go down in history as the Premier of Premiers, as a man who raised to quite a remarkable degree the politics of provincial premiership from the parochial to the statesmanlike. His contribution to the success of the Confederation of Tomorrow Conference is legendary.

Possibly his most lasting contribution to this province and to this great nation was the development of a closer liaison between Ontario and Quebec—his courageous and dedicated attempts to bridge the differences between Canada's two founding peoples.

We owe it to his memory to continue that high endeavour, to reinforce that bridge, thus strengthening the bonds of Confederation which are so vital to this nation's future and to Mr. Robarts's memory.

While he was a statesman and a politician, he was someone who had very strong roots in London, Ontario, and he never forgot his constituents. Indeed, I honestly do not believe I have ever met a person in my life who had so many friends, or who was liked by more people and earned the undying loyalty and friendship of so many people from so many walks of life, regardless of political persuasion.

John Robarts's death diminishes us all. He will not be forgotten. For years, he has been a great part of all of our lives—respected, admired, emulated and, in short, loved. In the words of Rudyard Kipling, "He could walk with kings without losing the common touch."

As it is for the Premier (Mr. Davis), it is particularly personal for me. Mr. Robarts was a very good friend of my in-laws—my wife, her sisters, her brother and her father and mother—and so it is beyond political. For me, it is a very deep personal loss.

Mr. Martel: Mr. Speaker, on behalf of the New Democratic Party, I want to join the Premier and the leader of the official opposition in paying tribute to our deceased friend.

I well recall my first encounter with John Robarts in the 1967 election, which became known as the "checklist" campaign when everything was done. I recall the first occasion when, with trepidation, I spoke in this Legislature. Mr. Robarts listened to every new member and not only did he listen but he found time to befriend every new member in the Legislature regardless of his or her political affiliation.

Consequently, he commanded the respect of all members and I think this was reflected in the decorum of the Legislature when he was present. The House could be in bedlam, but once John Robarts took his seat, the tenor changed totally and business proceeded in a much more orderly fashion. He was obviously chairman of the board.

To a newcomer it was obvious that he loved the legislative process, the cut and thrust of debate, but he still had the ability to rise above partisan politics and be friendly and compassionate to all. Is it any wonder that with these attributes he was able to show great concern for the youth of this province and for human rights?

He demonstrated a great concern for Canadian unity. This concern was reflected in his efforts on the Confederation of Tomorrow Conference and also in his role, after leaving

Queen's Park, as co-chairman of the Task Force on Canadian Unity.

He spoke frequently to me about his favourite pastime. Sometimes here in the Legislature and sometimes upstairs in the press gallery lounge, we exchanged fishing tales and we talked about the big ones that got away. He showed a great sense of humour. I personally cherish the memories of those occasions.

I last spoke to Mr. Robarts at another sad occasion—the funeral of James Auld—and I asked the former Premier if he was writing his memoirs. He said he had no time for that. He said, "I live for the present and for the future." I believe the attitude he reflected then gives us the legacy of achievements that he leaves behind and that we have to continue to build on.

He was, in short, a man of great warmth, rough humour, compassion and energy, who provided leadership not only for this province but also for Canada. Even those of us who did not share his political affiliation always had the greatest respect and affection for him.

On behalf of the New Democratic Party, I wish to extend our deepest sympathies to the members of the Robarts family.

Hon. Mr. Wells: Mr. Speaker, I would now like to move a motion, and I would like to suggest that perhaps the way we can assent to this motion is that after I move it you can ask for a minute's silence before officially adjourning the House.

Mr. Speaker: Hon. Mr. Wells moves that out of respect for the memory of the Honourable John P. Robarts this House stand adjourned until tomorrow at 2 p.m.

In respect for the memory of the former Premier, I would ask the House to join with me in standing to observe a minute's silence.

The House observed one minute's silence.

Mr. Speaker: I would ask all members to resume their places, please.

It has been moved by Mr. Wells that the House adjourn. Is it the pleasure of the House that the motion carry?

Motion agreed to.

The House adjourned at 2:33 p.m.

SPEAKERS IN THIS ISSUE

Davis, Hon. W. G., Premier (Brampton PC)
Martel, E. W. (Sudbury East NDP)
Peterson, D. R. (London Centre L)
Turner, Hon. J. M., Speaker (Peterborough PC)
Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)

No. 122

Legislature of Ontario Debates

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Afternoon Sitting

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LEGISLATURE OF ONTARIO

Tuesday, October 19, 1982

The House met at 2 p.m.

Prayers.

SCHARANSKY VIGIL

Mr. Rotenberg: Mr. Speaker, as members of the House may know, a vigil is currently taking place outside this Legislature as a gesture of the very deep concern felt by many Canadians over the fate of Anatoli Scharansky, now in prison in the Soviet Union.

In 1978, Mr. Scharansky was sentenced to prison for 13 years. His only crime was to ask for liberty of thought, freedom of religion, freedom of expression and freedom to leave the Soviet Union to join his wife in Israel. In short, he is a prisoner of conscience, and the cruel and intolerable circumstances leading to his imprisonment, and indeed the very circumstances of the imprisonment itself, compelled him to commence a hunger strike last month.

Mr. Scharanasky's imprisonment and the conditions in which he has been forced to live are a fundamental violation of basic human rights, not to mention a violation of the Soviet constitution, of the Helsinki agreement and of the United Nations Declaration of Human Rights, all of which are supported by the Soviet Union.

I hope all members will join with me in sharing these concerns and in expressing sympathy with the cause that has brought members of our community to the steps of this Legislature.

Mr. Breithaupt: Mr. Speaker, I am happy to advise the House that an Ontario Legislature Committee for Soviet Jewry has been formed and, along with my co-chairmen the member for Wilson Heights (Mr. Rotenberg) and the member for Beaches-Woodbine (Ms. Bryden), we have assisted in the organizing of the vigil that is before this building today. There are now some 26 members of the Legislature and four other staff persons who have joined this group. I hope others will take advantage of this opportunity.

On behalf of the committee, the co-chairmen have sent today the following telegram to Leonid Brezhnev, chairman of the presidium of the Supreme Soviet Council:

"We, the Ontario Legislature Committee for Soviet Jewry, call upon the government of Canada to intervene on behalf of Anatoli Scharansky, to take all appropriate action to ensure his health, his safety and immediate release."

A copy of the same telegram was sent to the Honourable Alexander Yakovlev, ambassador of the Union of Soviet Socialist Republics to Canada, and to the Honourable Allan J. MacEachen, Secretary of State for External Affairs.

The committee will meet in a nonpartisan way from time to time to deal with particular prisoners of conscience. We hope that what we do will be of some small assistance to those who wish to live in peace and freedom and whose only crime is apparently to seek to do so. I welcome all other members who join with us, and I hope the efforts we have begun will be of some assistance in the future.

Mr. Renwick: Mr. Speaker, on behalf of the co-chairperson of this committee, the member for Beaches-Woodbine, who is not present in the House at the moment, I wish to say that we in this caucus are delighted to be associated with this nonpartisan effort, which is quite consistent with the resolution of the assembly that was passed a year or so ago, relating to the whole question of terror and suppression of civil rights among people in all countries of the world.

We welcome the opportunity to participate. We welcome the initiative that was taken and we will be participating, as occasion permits, in the vigil now under way.

RESTRAINT ON DOCTORS' FEES

Mr. McClellan: Mr. Speaker, I rise on a point of privilege to correct the record. At our last regular sitting, on Friday, October 15, the Premier (Mr. Davis) is quoted on page 1035-1 of the Instant Hansard as saying, with respect to the inclusion of the medical profession in Bill 179, "I was here the first day the bill was introduced. His party"—and he means the New Democratic Party—"was calling for the inclusion of the medical profession." That statement is demonstrably false. The Premier is very fond of putting words in other people's mouths, but

he will look in vain for those words in that or any other issue of Hansard.

STATEMENTS BY THE MINISTRY

COMMONWEALTH GAMES

Hon. Mr. Baetz: Mr. Speaker, not long ago, I stood before this House to speak to the Act to establish the Ministry of Tourism and Recreation. At that time I said that part of our continuing mandate would be to aid the development of talented amateur athletes and to provide for them the opportunity to attain national and international status.

Today I have the pleasure of informing the honourable members that our programs are bearing fruit, even beyond our expectations. As the recent Commonwealth Games in Australia proved, this province has produced athletes of spirit and intensity, desire and dedication.

Almost one half—42 per cent to be precise—of the 185-member Canadian team who went to the games was made up of Ontario athletes. About three quarters of the medals brought home by the Canadian team went to Ontario athletes. Of the 11 Commonwealth Games records set by the team, a whopping 10 of them were set by athletes from Ontario.

2:10 p.m.

On behalf of the province and as Minister of Tourism and Recreation, I wish to congratulate all the participants in the 12th Commonwealth Games and particularly those from Ontario. In our gallery today we are honoured to have Kathy Bald, Brigitte Reid and Bruce Simpson, representing the Commonwealth Games athletes. I ask them to stand.

I am delighted these three representatives could be here today. Too often only the medal winners are accorded due recognition. I hope these representatives will express to the rest of their teammates that the people of the province appreciate and applaud the efforts of each and every athlete.

These people represent the epitome of our athletic participation in the province. They and many of their teammates will be honoured at a reception hosted by His Honour the Lieutenant Governor of Ontario later this afternoon

Athletes determined to compete at national and international levels embrace a demanding lifestyle. In one way it is akin to that of a politician: there is always somebody nipping at one's heels, willing and ready to take one's place at the first opportunity. Just as politicians must stay on top of their work to serve their constituents, so an athlete must serve his body, sustaining it with an appropriate diet of gruelling training.

Through the Ministry of Tourism and Recreation's various sports development programs, we offer opportunities for our citizens to undertake that challenge if they choose to do so. I am very proud to announce today two new initiatives in our sports porgram which will enrich those opportunities.

First, as all members know, this province fields a team of young athletes every two years to represent Ontario at the Jeux Canada Games. The 1983 Canada Winter Games are scheduled for late February in Chicoutimi, Quebec. Eighteen sports will be played at those games and, in preparation, young athletes across the province have been competing for a place on that team. Because of the great level of athletic participation in Ontario, the competition has been spirited.

To build on that grass-roots enthusiasm, my ministry will be bringing together already selected team members and potential team members in the last days of the year, December 28 to 30, for the Ontario Canada Games trials. The trials will involve about 450 athletes, coaches and managers and will provide an important forum for training for final team selection for some sports and for the building of the so-important esprit de corps. The borough of Etobicoke will host these trials. The ministry has committed $74,500 to fund them.

The second initiative I want to announce today is the rebirth of the Ontario Games. It is of particular interest today to know that it was the late Honourable John Robarts who, when he was Premier, opened the first provincial games, held in 1970. These games traditionally have been the first taste of tough competition for young athletes. So that we could thoroughly analyse their place in our program, we suspended these games for a few years. That analysis is now complete and we are certain that these games are important in our sports development program. They are a stepping stone on the road to athletic achievement.

I am proud to announce today that the first reactivated Ontario Games will be held next summer in the city of Sudbury. The province, through the Ministry of Tourism and Recreation, will provide $400,000 for the operation of the games. They will take place from September 2 to 5, and we expect some 1,745 young people in Ontario to participate in the games.

I wish to welcome here today the mayors of the two communities that will help us launch our new sports initiatives. In the Speaker's

gallery are Mayor Dennis Flynn of Etobicoke and Mayor Maurice Lamoureux of Sudbury.

The province of Ontario and the Ministry of Tourism and Recreation are proud of our athletes, and we are equally proud to have had hand in the development of their abilities. We will continue to strongly support amateur sport in Ontario.

ORAL QUESTIONS

UNEMPLOYMENT IN NORTHERN ONTARIO

Mr. Peterson: Mr. Speaker, in the absence of the Minister of Northern Affairs (Mr. Bernier), I will direct my question to the Premier, who is no doubt aware of the very distressing news in the past few days with respect to layoffs and shutdowns in northern Ontario.

The Premier will be aware that 200 workers were laid off yesterday at Spruce Falls Power and Paper in Kapuskasing. He also will be aware of the news from Inco yesterday, announcing a three-month extension of its plant shutdown, affecting some 10,000 workers, and the even more distressing news that some 4,400 permanent jobs probably will be lost over the next five years.

The Premier also will be aware that Great Lakes Forest Products has announced a further shutdown of two pulp mills, affecting 1,760 workers, beginning on November 5.

He is also aware that across northern Ontario there are some 47,000 unemployed, and a large number are going to be running out of their Unemployment Insurance Commission payments in the very near future.

Can the Premier tell this House what his government's plans are to help these people over the winter?

Hon. Mr. Davis: Mr. Speaker, the Minister of Northern Affairs is not here. However, as it relates to one of the matters raised by the Leader of the Opposition, the Minister of Natural Resources was part of some discussions in Sudbury yesterday, and I think he would be quite prepared to answer that part of the question and to perhaps offer some observations on the others, if that would be appropriate.

Mr. Peterson: I find it disappointing that the Premier cannot tell us about these things, but if he would like me to redirect, that is fair enough.

Hon. Mr. Davis: I can comment, but the Minister of Natural Resources was there, along with the federal minister, people from Inco and so on, and I thought the Leader of the Opposition would like to have as much up-to-date, definitive information as the minister could give. I am prepared to give the answer, but I forewarn him, I think the minister's answer would be more definitive. I thought the Leader of the Opposition might like that.

Hon. Mr. Pope: Mr. Speaker, the Leader of the Opposition referred to the temporary layoffs in the town of Kapuskasing and from time to time in other communities throughout northern Ontario. Because these are temporary shutdowns of these industries owing to market conditions, we have established a program under section 38 of the Unemployment Insurance Act which, during the course of this year, has employed more than 4,000 workers in Ontario—including approximately 1,000 in Sudbury, for instance—on projects that are of great value to the province and to the Ministry of Natural Resources in the resources sector.

We intend to continue that program. We have the support of the northern Ontario federal representatives to continue the program as well as the support of Mr. Axworthy, the federal Minister of Employment and Immigration, Mr. Roberts, the federal minister with responsibility for the forest sector of our national economy, and Ms. Erola, who has some responsibility for the mining sector.

We call upon the companies that have announced those layoffs to participate as sponsors of projects under section 38. There is a lot of work to be done with respect to forest management in northwestern and northeastern Ontario, and we have the mechanisms available at this time to bridge those temporary shutdown conditions.

We believe this program has been effective and has provided some financial relief to the workers who have faced this situation over the year. We are confident, and in certain selected product lines of the forest sector we see signs that there is some increase in demand now and to come in the future.

Mr. Peterson: I hope the minister's optimism in certain selected areas is not going to overshadow his responsibility to deal with the question now.

We are obviously facing a very cold and grim winter. In addition to that, he is aware from the statistics and from what those companies are saying that the structural nature of some of these problems is going to go far beyond this winter.

The minister's response, it appears to me, does not go very much beyond having a few

discussions and dealing with a very small percentage of the unemployed people, not only in social terms but also in terms of finding meaningful work.

I ask the minister to be very specific. Out of those 47,000 unemployed in northern Ontario right now, how many will he be helping with his program this winter?

2:20 p.m.

Hon. Mr. Pope: I hardly think an $11-million contribution by the provincial government and something in the order of a $35-million contribution by the federal government to provide for 4,000 jobs is a less than meaningful contribution. It is a very important contribution to those 4,000 workers who have been assisted.

I reiterate, there is a program already in existence that does not make work; it involves important projects that need to be done to enhance forest management in northern Ontario. It is available now to every single company, worker and municipality in northern Ontario. It is there for their use. We think it does serve the temporary layoff situation and it has successfully served it in the past.

Mr. Peterson: Ask the mayor of Sudbury.

Mr. Martel: We've got 19,000 unemployed in Sudbury alone.

Mr. Speaker: Order.

Hon. Mr. Pope: Right now, Sudbury has 1,000 workers who have been helped with meaningful work over the summer as a result of the section 38 program. I have not seen any other program suggested in any other jurisdiction that has matched the success that the Ontario and federal governments have had in Ontario.

Mr. Cassidy: Are you proud of that record?

Hon. Mr. Pope: It's better than yours, my friend.

Mr. Speaker: Order.

Mr. Stokes: Mr. Speaker, given the boom-and-bust cycle we have experienced for a number of years in northern Ontario as a result of our almost total reliance on the resource sector, that is, where we process to the very minimum our mineral and forestry wealth in northern Ontario only to have it exported, and given the situation that the Leader of the Opposition has spoken of in the Sudbury basin and those involving the major licence holders, namely, Kimberly-Clark, Domtar, Great Lakes and Abitibi, does the government not see this as an opportune time to look very seriously at secondary manufacturing so that we are not totally reliant upon the export of unfinished or semi-processed products to the United States?

Given the attempted embargo by the United States on the imports of Canadian lumber, does not the government, and the minister in particular, as he comes from northern Ontario, see that as being necessary for the future to establish a realistic economic base in northern Ontario?

Hon. Mr. Pope: Of course we do, Mr. Speaker. That is the reason we changed our government policy in the current year to provide for the construction of nurseries in the private sector in many small communities throughout northern Ontario. We have started in the districts of Timiskaming and Cochrane, and the honourable member is no doubt aware of the ad that appeared recently in the papers in his riding. We also started before that, at the beginning of this year, in the Thunder Bay area. They will provide job opportunities that did not exist before.

We have encouraged research into the use of poplar and other species of wood that have not been used adequately before, with large volumes of old, mature timber available, and helped in the establishment of feasibility studies for waferboard and medium-density fibreboard plants—

Mr. Cooke: That's your response to a crisis.

Hon. Mr. Pope: What does my friend know about it?

Mr. Speaker: Order.

Hon. Mr. Pope: Does he know where the growth market is right now for lumber products?

Mr. Mackenzie: What a joke—a political and economic joke.

Mr. Speaker: Order.

Hon. Mr. Pope: The member does not know what he is talking about; neither does his party.

Mr. Speaker: Order.

Mr. Van Horne: With your indulgence, Mr. Speaker, I would ask the Premier's attention. I am really disappointed, as we all are on this side, that he deflected the situation to his minister. He really should have taken it upon himself to prove that he is the Premier of the whole province and not just of those sectors that are doing well.

I have a supplementary to the minister: On June 15, his colleague the Minister of Northern Affairs said that it is time for some sober thought about what elements can and should go into economic development for northern Ontario. He was referring to permanent jobs, not to

the short-term, temporary stuff the minister has been throwing out to us, and to the people in northern Ontario. What is he going to do about permanent, long-term jobs for those people in northern Ontario?

Hon. Mr. Pope: Mr. Speaker, I know what the honourable member's policy is; he has stated it often in the Legislature. He would study it; that is what he would do. That is his proposal: he would study whether we should have long-term jobs in northern Ontario.

In the meantime, the Premier and the Treasurer set up the Board of Industrial Leadership and Development committee in 1980 and 1981, and that has had more impact on the development of the resource sectors and related jobs in northern Ontario on a permanent basis than anything those guys could ever dream up.

Mr. Peterson: He is a pugnacious little fellow, isn't he?

ASSISTANCE TO SMALL BUSINESSES

Mr. Peterson: Mr. Speaker, I have a question for the Treasurer. He is no doubt aware of the latest bankruptcy figures that have become available but, just to refresh his memory, I would like to tell him what they are.

In September, 324 Ontario businesses went bankrupt; that is an increase of 22.3 per cent over the previous month. For the year to date, business bankruptcies are up 34.3 per cent over 1981. Moreover, what is even more disturbing, the volume of liabilities is up 32.4 per cent from the previous month and up 167.3 per cent from the same month a year ago. Those figures speak to some very serious problems in our business sector, particularly our small business sector, in this province.

Will the Treasurer please tell this House what he plans to do about it?

Hon. F. S. Miller: Mr. Speaker, the debate on Bill 179 probably will bring to a close a very long discussion about what this government is doing about that very matter.

I do not think it is coincidental that we have seen a drop in interest rates since government took a stand in this country. The Leader of the Opposition may think a drop from 19 per cent to 13.5 or 13.75 per cent is not important, but I want to say that is probably the most important factor influencing the survival of many small businesses in Ontario and in Canada.

I would say that is a response from the financial community to the wisdom of the combined efforts of a number of provinces and the federal government, led by ourselves, because I think ours was the first budget to come out with a request for a six per cent rule and we started it; we started it in May.

I can read the member's lips. He does not want his remarks on the record. He really does not want what he said on the record. It would be very embarrassing. His leader in Ottawa got into trouble by mouthing something like that from his seat too. I thought it looked very much like "Fuddle-duddle" when he was standing there.

Mr. Peterson: And it is absolutely true. The Treasurer is the one who took so long to get dragged into this program.

The question I should ask him is, if it is such a wonderful program that he has, why did he not do it months ago when we were calling for some action on the economy? But that is not the point. I will not waste my question.

Particularly disturbing to me are the bankruptcy statistics in the retail and wholesale trade sector, where they are up 15.8 per cent from last month and 22.2 per cent over a year ago, and where the liabilities are up 23 per cent over last month and 124 per cent from a year ago. What we are finding is that his revenue projections are down $137 million over his budget projections as a result of retail sales tax.

Clearly, the Treasurer's budget had an influence on these businesses going bankrupt; so what is he going to do about his misbegotten budgetary proposals that helped to contribute to these very serious bankruptcy figures in this province? He is part of the cause.

Hon. F. S. Miller: Let us put things in perspective. Certainly, our revenues are down somewhat below those projected, because we happen to depend upon a number of sources, including transfers from the other level of government.

I would like to point out that the figure the member just gave me is less than one per cent of our budget. I would like to ask how many people in this province have maintained their revenue in small business or any other business within one per cent of projections?

I would also point out that at the beginning of the fiscal year we predicted cash requirements somewhere in the range of $2.1 billion. At present, we are predicting something less than $2.5 billion or around that. That is an increase of 15 per cent. I am not happy about that.

I guess the member somehow has some magic ability to run this province that is not evidenced in Liberals elsewhere, because the federal Liberals are up 350 per cent in their cash require-

ments since they brought their budget out.

2:30 p.m.

Mr. Sweeney: Mr. Speaker, I draw to the Treasurer's attention that in previous answers he has indicated to us that his now famous tax holiday was supposed to help many small businesses in this province.

Is the Treasurer aware that his tax holiday is affecting only one quarter of the 240,000 small businesses in this province, and that it is not helping one bit those kinds of businesses my leader just referred to which have their backs against the wall and which are now going into bankruptcy because they are not making any profits and therefore cannot be taxed anyway?

Given these circumstances, given this number of small businesses with their backs against the wall, could the Treasurer tell us how he and his government can continue to justify putting twice as much money into bailing out an American company, Suncor, as was put into the budget supposedly to help Ontario small businesses?

Hon. F. S. Miller: Mr. Speaker, I know when the member was a director of education he had a very good basis in small business. I certainly realize it is superior to mine. When that is where I have spent most of my working life, I obviously would not understand the problems of small businessmen at all and the member, the fount of all knowledge, would. That is the kind of knowledge he has taken upon himself.

I can tell him he does not know much about small business. He does not know a good many of them are making profits and are able to reinvest or pay off their loans with that $250 million of tax we gave back, because it is working.

EMPLOYMENT IN SUDBURY

Mr. Martel: Mr. Speaker, I have a question for the Premier and I would ask him not to deflect it to one of his cohorts.

The Premier is aware of the announcement yesterday of the further layoff at Inco and the further deterioration of the situation in Sudbury. What long-term plans has he (a) to diversify the economy in the Sudbury basin, and (b) to provide permanent jobs, not the 1,000 jobs his Minister of Natural Resources (Mr. Pope) is so proud of, when there are 19,000 or 20,000 people unemployed?

Hon. Mr. Davis: Mr. Speaker, the honourable member and I have discussed this issue on a number of occasions. I recall some time ago when Sudbury was faced with a rather serious economic crisis he attended the same gathering I attended. It was called Sudbury 2001, if memory serves me correctly.

This government committed rather substantial funding to a local group to develop other alternatives for the Sudbury basin. We made it abundantly clear to the community in Sudbury, and that same position is maintained today, that we are more than prepared to assist in any attempt at diversification.

The member fully appreciates it is not possible for government unilaterally to move the manufacturing sector to the Sudbury basin or to anywhere else in this province, but we have taken certain initiatives. We hope the resource sector centre that is going to be developed in Sudbury will provide some incentive.

It is also fair to state to the member that this government, in terms of other parts of northern Ontario, has made and will continue to make a very serious effort to see if there is not some area of diversification, but I think we all understand that the basic resource in northern Ontario will still be in the resource sector.

The problem that exists in Sudbury quite obviously relates to the international nickel marketplace. I know the member does not like me to say this, but that is quite factually the case. It is not an area where, in terms of the supply of nickel, the production of nickel or the sale of nickel, while the member asking the question has a solution, except perhaps the nationalization of the nickel—

Mr. Martel: That's Gordon.

Hon. Mr. Davis: I just say it is the member for Sudbury East's idea. It is abundantly clear the solution he has advocated for years would not alter the present international situation with respect to the nickel markets.

Mr. Martel: I might suggest to the Premier that since 1978 and the meeting we were at, 5,000 people have left the Sudbury area. I would ask the Premier, since his government has not acted on any recommendation from its own committees with respect to the nickel industry—for example, refining in the Sudbury basin—since he has ignored the select committee report of 1978, since his own cabinet committee on one-industry towns, with his Treasurer as chairman, did not make a recommendation, and my understanding is it did not even bother to meet, since there have been two emergency debates this year already on this matter without any answers forthcoming, and since nothing but

short-term jobs have been created, given these facts and his failure to respond, is he willing to order Inco to commence operations in January?

Will he establish a nickel trading agency that will stockpile nickel until the international market turns around, with the cost of stockpiling shared between both senior levels of government and taking an equity for that assistance in the corporation? Otherwise, there is no solution to the problems in Sudbury in the short term.

Hon. Mr. Davis: The honourable member and I are not going to agree on his last suggestion. I appreciate the sincerity with which the suggestion has been put. It is not unique, it is not the first time that suggestion has been made.

Our considered point of view is that it would not in fact be helpful. It would not solve the problem either in the short or the long term.

Mr. Van Horne: Mr. Speaker, in response to me, the Minister of Natural Resources (Mr. Pope) indicated that a solution might be to have another study. There has been a variety of studies into this problem of single-industry communities in northern Ontario and we have heard nothing back.

As recently as January of this year, the Minister of Northern Affairs (Mr. Bernier) called for a joint study group to look into special problems of communities dependent on the mining industry for their economic health. Now we hear the Premier reply that part of the problem stems from the international market. We have heard comments about the need for a nickel trade agency.

Is the Premier going to ask his various ministers who have suggested these studies and obviously not worked on them, to present to this House in the immediate future some results from the work of these ministries?

Hon. Mr. Davis: Mr. Speaker, I think in fairness the honourable member should know that in fact the ministries have been working and have produced some results in some communities.

I recognize it is always difficult to appreciate some of the positive aspects because of the magnitude of the problems. Taking Sudbury as an example, I would say the situation in Sudbury does relate to the international demand for nickel. There is no question about it. I do not suggest his party is advocating taking over Inco, but that may be one of their suggestions as the weeks go by. If it is, I will be interested to hear from them.

I have listened to and read some material from the member for London North, and with great respect, when one lives in northern London it is very hard to totally understand the problems of northern Ontario and I have yet to hear any credible suggestion from him as to any definitive program whatsoever.

Mr. Laughren: Mr. Speaker, the Premier will be happy to know that I have some definitive proposals to put to him.

Does the Premier understand how his laissez-faire approach to the problem causes such immense destruction in family life and in the business community in Sudbury? Does he really understand that?

Second, does he really believe that Sudbury must forever be dependent upon on the international marketplace to resolve its problems?

I am going to send across to the Premier a document which my colleague the member for Sudbury East and I have put forth to the Sudbury community entitled, A Challenge to Sudbury. This proposal lays out some very concrete proposals, which the Premier seems to want.

Those proposals suggest there should be an integrated nickel complex in the Sudbury basin.

Mr. Speaker: Supplementary, please.

Mr. Laughren: This is the supplementary.

Second, that there be new programs in Sudbury involving energy conservation, food processing, the manufacturing of health care products and the manufacturing of institutional office supplies.

Mr. Martel: And mining equipment.

Mr. Laughren: Will the Premier please respond to each of the proposals in that document and act on them as well?

2:40 p.m.

Hon. Mr. Davis: Mr. Speaker, I will be delighted, as I always am, to review any constructive suggestion coming from whatever source. I realize the document the member is sending over to me has already been distributed in the form of a news release and I am delighted to receive it after he has distributed it.

Mr. Laughren: I sent one to you.

Hon. Mr. Davis: I am just saying I am delighted to receive it after distribution. I certainly will be delighted to pursue it. I think I can warn the member in advance there will be some suggestions where we will agree to disagree.

EMPLOYEE HEALTH AND SAFETY

Mr. Martel: Mr. Speaker, I have a question of the Minister of Labour regarding Westinghouse

in Hamilton. He has been waiting, I know. Will the minister tell the House why, when tests in August showed workers at Westinghouse in Hamilton are being exposed to lead levels six times the maximum threshold limit levels, the work area has not been shut down and no protective actions have been taken for the employees?

Hon. Mr. Ramsay: Mr. Speaker, the inspectors for the occupational health and safety division have been in with Westinghouse and working with the problems they have been experiencing.

Mr. Martel: The minister is aware this is the same plant we raised concerns about in May, regarding dangerously high levels of the solvent Solvesso. At that time his officials demonstrated incompetence in testing and enforcement.

In this case, the ministry ignored the consistently high levels of lead found by the company itself in April and August. In May, the minister's own officials tested for solvent and paint particulates. They ignored lead when they carried out their tests at that time. The tests were carried out when the paint with the lowest lead content was being used.

Why are the workers still being exposed after many months to lead levels, particulate levels and solvents that are dangerous to their health?

Hon. Mr. Ramsay: It is not my understanding that the workers are still being exposed to high levels of lead. I do know there have been several inspections done and it is my understanding that the necessary orders have been issued and necessary actions have been taken.

Mr. Martel: My information is totally contrary to the minister's. His hygienist, Mr. Rajhans, told us that lead levels as high as those found in Westinghouse should constitute grounds for prosecution, yet his ministry has not even issued orders for ventilation yet. The Solvesso levels and the paint particulate levels are also above the threshold limit values and he is not taking any action to protect workers against the combined hazard of these three toxic substances.

Given this company's appalling record, will the minister not now move to charge them for their failure to engineer out those difficulties?

Hon. Mr. Ramsay: The files are being studied by the legal department and if there is cause for prosecution, prosecutions will be taken. At the present time, it is my understanding, working with the company, that the necessary steps are being taken to protect the workers.

TESTIMONY OF POLICE OFFICERS

Mr. Roy: Mr. Speaker, I have a question to the Attorney General, if I can get his attention.

The Attorney General may be aware of certain allegations made by the former president of the criminal lawyers' association in Ottawa about certain police officers in the province lying while giving evidence under oath. That was the allegation that was made. He will surely also be aware of certain other allegations that have been made, some of which he is presently investigating, and more recently the situation involving Mr. Proverbs in Toronto.

Yesterday there was a front-page story in the Ottawa Citizen listing a number of allegations involving accusations by defence counsel and judges involving police officers apparently lying under oath.

My question to the chief law officer of the crown is, given these circumstances and these very serious allegations, which I am sure he will admit seriously undermine the administration of justice, is he satisfied that the present process of either disciplining or laying charges against police officers, should there be breaches of the Criminal Code, is adequate to deal with this serious problem?

Hon. Mr. McMurtry: Mr. Speaker, I have not yet seen the story in the Ottawa Citizen. The journalist from that newspaper spoke to me on the telephone on Friday and I discussed it with him for quite a few minutes. I also read certain press reports and statements attributed to Mr. Wakefield, the president of the criminal lawyers' association in Ottawa.

My response has generally been that I think it is one thing for individuals, particularly practising lawyers, to make specific allegations and suggest they should be reviewed. It is another thing to make a general allegation, as was attributed to Mr. Wakefield, that it is very common for police officers to "lie in court."

I characterize those comments as quite irresponsible because they basically amount to a sort of blanket condemnation of law enforcement in this province, whereas I happen to believe the cases where it can be established that police officers may not have told the truth are relatively rare. That it might happen at all is, of course, always a matter of concern, particularly when it happens in relation to a police officer, but in any human institution there are individuals who disappoint the public from time to time.

Obviously, I have also suggested it may just be

that certain defence counsel have a vested interest in making blanket condemnations of law enforcement in this province because it may be they want to influence the minds of potential jurors who are going to be assessing the credibility of police officer witnesses from time to time. I just suggest that as a possible motive for some of these general and rather vague statements.

Getting specifically to the point the member raises, which is what should happen when there is evidence of a police officer not telling the truth, I am again answering the question in the context of some of the questions asked me by this journalist. I assume that is what he is writing about. It was suggested these cases are not treated seriously by the crown attorneys and that, where there are on occasion clear breaches of the perjury sections of the Criminal Code, these are not being dealt with in the criminal courts but are simply referred to the police force involved for proceedings under the Police Act.

I said to that gentleman, and I repeat to members of this Legislature, as far as we are concerned the policy of the Ministry of the Attorney General is that if police officers are in breach of the Criminal Code they will be prosecuted. That is the policy as far as my ministry is concerned. I am sure the Solicitor General (Mr. G. W. Taylor) would agree that is the policy his ministry accepts in relation to the administration of police forces.

If there are cases where it is alleged there is strong evidence of a breach of the Criminal Code in this area by a police officer and a prosecution does not follow, I would welcome any comments about these specific cases rather than general and vague statements.

2:50 p.m.

Mr. Roy: As a matter of clarification, I do not think anyone would make a sweeping allegation that most police officers who come into court lie under oath. But it is a fact that if one or two instances happen, it is one or two instances too many.

I repeat to the Attorney General, given the statements that have been made in the press and the situation as pointed out, for instance, in the Proverbs case, given the latest circumstances raised by my colleague the member for Yorkview (Mr. Spensieri) recently, the Goldman case, and the comments by the presiding judge about police officers lying or not telling the truth under oath, given all of these circumstances and given the fact that—

Mr. Speaker: Question please.

Mr. Stokes: Too many "givens."

Mr. Roy: That member is hardly the one to talk. He makes a speech every time he gets up here. For a former Speaker, he is not setting a very good example.

Mr. Speaker, I do not want to be unduly cross with you but the Attorney General gave a very lengthy answer. I have to pick up on that. In the cut and thrust of debate, I have to get back at him.

Mr. Speaker: And now for the question.

Mr. Roy: Please, Mr. Speaker, do not interrupt me any more. Given the fact that very few charges have been laid on the initiative of crown attorneys because of their very special relationship with the police—they are working with the police all the time—and given the fact—

Mr. Speaker: Having said that, question please.

Mr. Roy: No, I have not said that yet.

Mr. Speaker: Question please.

Mr. Roy: Given the circumstances that presiding judges have made serious comments about that and yet in all of these cases no charges have been laid, would not the Attorney General—

Interjections.

Mr. Roy: The NDP members are getting a lesson in asking questions and they are very happy, are they not? They should just sit back and listen. I am being interrupted on a very important topic.

My question to the Attorney General is simply this: Given the fact that the system does not work, does he not think it is time he established a procedure by which to look at these allegations because sometimes the provisions of the Criminal Code are not adequate to deal with this? As the chief law officer, does he not think he should establish a procedure to look at this situation and take proper measures to deal with the allegations, whether true or unfounded?

Hon. Mr. McMurtry: There were so many interjections I have forgotten most of the preamble. I wonder if the honourable member might repeat the first part of his question.

Our policy is that police officers are treated the same as any other citizen when it comes to a breach of the Criminal Code. That has been the practice. Let me give the member one example. The member says the system does not work. In a very well publicized case not too long ago, two very senior and respected police officers were

party to preparing a false affidavit despite exemplary records that stretched over 20 years in each case.

They had good reason to believe the suspect they were interrogating in the case was the appropriate suspect, and they prepared this affidavit. They were prosecuted vigorously and convicted, obviously with very significant adverse influence on their careers.

Mr. Roy: That was an exception.

Hon. Mr. McMurtry: That was not an exception. That is just an example of what the policy of our ministry is.

EMPLOYMENT IN SAULT STE. MARIE

Mr. Wildman: Mr. Speaker, I have a question for the Minister of Labour. Is the minister aware that last week, on the same night he stated to the Sault and district labour council that wage controls would create a better climate in our economy, one where we would all learn to restrain our demands, the city's economic development advisory board presented a report indicating a frightening unemployment rate in Sault Ste. Marie and Algoma districts of about 31 per cent, perhaps the highest in the country outside of Sudbury?

That report indicated the number of people registered at the local Canada Employment Centre has grown from 4,580 in August 1981 to 14,213 in August 1982, an enormous increase of 210 per cent. In view of these figures, can the minister tell us what specific projects he is recommending to the cabinet that the provincial government carry out to bring immediate relief to the Sault Ste. Marie and Algoma districts this winter?

Hon. Mr. Ramsay: Mr. Speaker, perhaps I should refer the honourable member to an article I read in the Toronto Star last week, as a response to his comments about my remarks at a labour rally in Sault Ste. Marie last week about the wage restraint package.

I noticed Mr. Nelson Riis, the federal New Democratic Party financial critic, has come out in support of a control program. He said, "These are extraordinary times requiring extraordinary measures." It seems to me that is the exact same thing I said in Sault Ste. Marie that night, but instead of saying "extraordinary" I said "devastating" times requiring serious measures.

I would say it is not just this side of the House that is interested in the wage restraint package. Apparently some cousins of the members opposite are also very interested in controls.

As far as the question regarding exact proposals for Sault Ste. Marie is concerned, I do not have to apologize at all for any concern for the circumstances in Sault Ste. Marie. The member is certainly not alone in the worry that every citizen of that community has for the plight and the circumstances in Sault Ste. Marie. This government is studying proposals to provide assistance wherever possible to all parts of this province, including Sault Ste. Marie.

Mr. Wildman: The minister has indicated he is concerned. I wonder if he is specifically concerned about the recent announcement by Algoma Steel of an indefinite postponement of its expansion program, and the persistent rumours in the community of a complete shutdown of Algoma's operations for one or two months this winter? If he is concerned about that, is that where it ends?

In other words, is the minister saying this is what the people of Sault Ste. Marie and area have to accept, in the spirit of learning to accept less from our economic system? If that is not his position, is he prepared to recommend specific job creation programs and interest rate relief programs to his cabinet colleagues in order to stimulate the economy of the Algoma district in particular and Ontario as a whole?

Hon. Mr. Ramsay: In response to the member, of course I am concerned. It is ridiculous to suggest otherwise.

Mr. Wrye: Mr. Speaker, is the minister prepared to translate his concern into an unequivocal statement in this Legislature right now that he is in favour of taking every dollar that is to be saved through the restraint program his government has proposed and transferring it into job creation programs that will help the people of the Algoma district, of the Sudbury district, of Windsor and of all the other areas that have been hit by double-digit inflation now up to the 20 or 30 per cent level?

Is he personally in favour, and will he argue in cabinet, to spend that money on job creation?

Hon. Mr. Ramsay: Mr. Speaker, I am not prepared to make that kind of a statement at this time.

3 p.m.

MALVERN SOIL CONTAMINATION

Mr. O'Neil: Mr. Speaker, my question is to the Minister of the Environment and concerns the removal of the radioactive soil from the Malvern area of Scarborough.

The minister is aware that Bill 174, the

Malvern Waste Removal Act, may come up for debate later today. When this bill was introduced in July, he was reported to have stated that a site for the soil would have been chosen by the time the bill was debated. Yesterday, I called an assistant of his in the ministry and was told that a number of sites were being investigated, but when asked what sites were being considered his special assistant's only statement was, "No comment."

Would the minister kindly inform this House what site or sites are being considered and when the soil is expected to be moved into the designated location?

Hon. Mr. Norton: Mr. Speaker, first, I think it is important to correct the record. I do not recall having said—I might have, but I doubt it very much—that by the time the bill was debated a site would have been chosen. Certainly, I indicated at that point that a number of sites were being looked at as possibilities. That continues to be the case.

With respect to specific sites, obviously the member knows what some of the specific sites are. Any others that might be under consideration would first be discussed with the members in whose ridings they might be located, and they would explored with the local authorities before I would discuss them publicly.

Mr. O'Neil: The minister talks of the freedom of information act and all these other things; surely he and his cabinet colleagues and people within his ministry must have a definite idea or must have zeroed in on one of these sites. Because of the dictatorial powers the minister has under this bill in that he does not have to go to a hearing, but yet can take away a lot of the powers of the citizens in particular areas, I think it is about time the minister opened up and told this Legislature and the people in this province just what the favoured site is, when it is proposed to move that waste and whether it is going to be before the end of the year.

Hon. Mr. Norton: Obviously, I am committed not only to the freedom of information but also to the freedom of the public to have access to correct information before it happens to get distorted. That, I think, is a higher commitment than the one the member is mouthing at the moment, frankly.

I could hypothesize, and if I were even to hint at a particular site today the member would be the first person off the mark to try to create opposition before there was an opportunity to discuss it with local residents and many who might have an interest in the particular location.

The simple answer to the latter part of the question is no, I do not have any favoured sites.

Mr. R. F. Johnston: Mr. Speaker, I am surprised to hear that the minister is not going to make an announcement beforehand. Does he not think it is putting the cart before the horse to pass this kind of legislation before naming a site? Will the minister not withdraw this legislation unless he is prepared to name a site where this soil is going to go? Surely he has things backwards. He is going to play on the fears of the people in Scarborough and other areas, who do not know where he is going to come down.

Hon. Mr. Norton: Mr. Speaker, again, I think the simple answer to that is no, it is not putting the cart before the horse. Presumably the reason the legislation before the House is to provide for the appropriate legislative authority to meet the needs of the people of Scarborough in removing the soil from that site. There is some question as to whether the appropriate authority now exists. That may yet be challenged in the courts. It is my understanding that if the courts are going to review this legislation, then it is preferable that the legislation be dealt with by the House first. I suppose that is not essential, but it is preferable.

Certainly, it has never been the practice of this government, nor will it be, to act in any heavy-handed way to deal with such a sensitive issue. I am just astounded that the member could accuse me of ever having any heavy-handed intentions. I am such a gentle and delicate individual.

Mr. Pollock: Mr. Speaker, because the Minister of the Environment stated in this House at one time that this soil was relatively safe, why is it being moved?

Hon. Mr. Norton: Mr. Speaker, if the member wants a simple and forthright answer, I would still say to the best of my knowledge from all medical evidence available, the soil is safe. I suppose the simple reason for moving it is to protect the mental health of the residents of Scarborough.

REVIEW OF RESIDENTIAL TENANCIES ACT

Mr. Philip: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations (Mr. Elgie) in his capacity as the administrator of the Residential Tenancies Act. It is now three years since this act was passed by the assembly and well over a year since the

decision of the Supreme Court of Canada with respect to the constitutionality of the Residential Tenancy Commission established by that act. Can the minister advise the House whether he has met with the Attorney General (Mr. McMurtry) with respect to introducing a revised residential tenancies bill to replace the act, part of which was declared unconstitutional? If so, when can we expect to see that bill in this House?

Hon. Mr. Elgie: Mr. Speaker, we have been reviewing those areas of the act which were deemed unconstitutional and the Attorney General has been looking at them as well. Our staffs have had some conversations and he and I will be meeting in the near future to discuss them.

The member should know, as I am sure he does already, that there are differences of opinion about whether some sections of the bill should remain in a separate Landlord and Tenant Act. Some members of the Federation of Metro Tenants' Associations, when I met with them some time ago, indicated some preference to leave them in the Landlord and Tenant Act. In any event, the Attorney General and I will be reviewing the whole issue because there are some important concepts in that bill, parts of which were struck down, which I think we have to address. I hope that will not be in the too distant future.

Mr. Philip: I wonder if the minister can comment on one part of that. Is he aware that according to the Metro Tenants Legal Services, which is connected directly with the organization he just mentioned, illegal rent increases are regularly discovered? Is he aware that one of his own rent review commissioners, the head of the Etobicoke office, estimates that approximately only 10 per cent of illegal rent increases are actually caught? Why has the minister been so slow in at least introducing a rent registry system so that landlords who constantly violate the law and raise rents illegally can be caught?

Hon. Mr. Elgie: I have no idea if there is any accuracy about predictions of illegal rent increases. Certainly, if they are occurring, they are areas that have to be addressed. The member will not find any argument from me about that. The rent registry is also an area that was in the previous bill and one that we will have to look at as well when we contemplate new legislation in this area.

Mr. Epp: Mr. Speaker, many of the applicants appearing before the rent review board are getting very sizeable increases, sometimes between 50 per cent and 100 per cent. Does the minister plan on placing some limit on those increases or, perhaps, plan to freeze the amount of the increases they can get at six per cent or some other limit? Or does he intend to permit the increases to range as high as the figures I have mentioned without his government doing anything about it?

Hon. Mr. Elgie: I hope the member for Waterloo North is speaking from fact and not from fiction. As he will know from having read last year's rent review report which was tabled in the House, the average rent increases throughout the province were in the neighbourhood of 15, 16 or 17 per cent.

I think it does not do the member, or the public, any service to use figures he cannot verify. If he has evidence of rent review decisions that are in large quantity, as he has indicated, in which increases of from 50 per cent to 100 per cent were awarded, I think he should produce it. We all know that there are some landlords who have asked for large increases, but I want to know if he is talking from fact about decisions which have granted those increases. I do not have that information available to me. If the member has it, he has an obligation to this House and to the public to present it.

3:10 p.m.

In general, let us also not overlook the fact that most of the increases that are occurring today—and I do not think there is any argument among those who wish to speak about it honestly—are a result of increases in energy costs and financing charges. People who think about it thoughtfully understand it. None of us like it. The member knows, as I know, that the bill he concurred with some three years ago did not allow any consideration or pass-through of profits unless there was some deficit position the landlord could prove. He knows we are not talking about passing through any profits. We are talking about passing through legitimate costs. If the member has information to back up the statements he has made, I would like to have it and the public should have it.

Mr. Speaker: The member for Rainy River.

Interjections.

Mr. T. P. Reid: The Liberal-Labour Party shaved its beard.

STRATEGIC LAND USE PLANS

Mr. T. P. Reid: Mr. Speaker, I have a question for the Minister of Natural Resources (Mr. Pope) in regard to nonresident crown land

camping and his strategic land use planning program. Since the minister has indicated that by the end of the year he wants to put his SLUP program into place and thereby, whether he likes it or not, place a great many restrictions on Ontario residents, what is he going to do about the commitment his predecessor made to me almost four years ago, and which the minister reconfirmed when he took over that position, to restrict the use of crown land by nonresidents, who have been having a free lunch on us all these many years?

Hon. Mr. Pope: Mr. Speaker, the member for Rainy River has raised this point before. First, I disagree with him that the strategic land use plan will in any way restrict the activities of residents in northwestern Ontario or any other part of Ontario. It is not the purpose of the land use plan. It is a guideline that serves as a point of information for residents to have reference to, to follow some of the land use decisions that may or may not be made in the future with respect to our resources under existing legislation.

The honourable member is quite right. On a number of occasions he has raised the issue of the use of crown land by nonresidents and the problems that is causing in northwestern Ontario. We have begun to address that issue with the proposal for the moose-hunting season that we developed over the last few weeks, and which has been announced, indicating that nonresidents must have an Ontario base in order to receive a hunting licence. I think that indicates the direction in which we are going: to try to ensure that nonresident use of our resources results in maximum economic impact for the tourist industry and the residents of Ontario.

In terms of a general crown land recreational policy, I believe that matter will be decided and announced some time in mid-October at the convention being held in Thunder Bay.

Mr. J. A. Reed: Mr. Speaker, since there are many unresolved issues connected with the strategic land use plan, since there is legislation promised but not yet in place in the Legislature that directly affects the application of this plan, and since the minister has undertaken to receive commentary past the August 31 cutoff deadline, at least from some areas, will the minister not accept the fact that finalizing the strategic land use plan at this time is grossly premature? It is putting the cart before the horse. Will he not now leave the door open for public commentary until some of the legislation is in place that directly affects it and some of these matters are resolved?

Hon. Mr. Pope: Mr. Speaker, I am aware there is some conflict in many parts of Ontario with respect to specific resource uses, conflicts between private land owners and recreationists. I am also aware that the member for Nickel Belt (Mr. Laughren) has spoken enthusiastically in favour of some elements of the strategic land use planning program. These conflicts have existed for as long as the resource allocation decisions have been made. These conflicts have existed between private land owners and recreationists for as long as people have used our streams, lakes and trails for recreational use.

The land use planning program has been going on now for 10 years with many elements of public participation built into that process, and I have absolutely no intention of delaying the land use planning process beyond the end of the year.

PETITION

ONTARIO HYDRO ANNUAL REPORT

Mr. Kerrio: Mr. Speaker, under standing order 33(b), we, the undersigned, petition that the annual report of Ontario Hydro for the year ending December 31, 1981, be referred to the standing committee on resources development.

MOTION

COMMITTEE SUBSTITUTIONS

Hon. Mr. Wells moved that the following substitutions be made: on the standing committee on administration of justice, Mr. Watson for Mr. MacQuarrie, Mr. Piché for Mr. McLean.

Motion agreed to.

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Laughren moved, seconded by Mr. R. F. Johnston, pursuant to standing order 34(a), that the business of the House be set aside to discuss a matter of urgent public importance, namely, the announcement by Inco Ltd. yesterday, October 18, extending the shutdown of its operations to April 4, 1983, and cutting its Sudbury work force by 15 per cent, in terms of the misery this will bring to thousands of Sudbury families, the very severe dislocations it will cause in the business community and the public sector, the lack of any program from any source to help the Sudbury region recover from this latest setback and the failure of the government to initiate action on any of the options available to this Legislature to alleviate the problem.

Mr. Speaker: I am pleased to advise all honourable members that the notice of motion was received in time and complies with the standing order. I will be pleased to listen to the honourable member for up to five minutes as to why he thinks the ordinary business of the House should be set aside.

Mr. Laughren: Mr. Speaker, I rise for the third time this session to move an emergency debate on the economic conditions in the community of Sudbury. It is probably unprecedented that any member would have such a dubious honour in one session.

Put simply, the economy of Sudbury is in a state of collapse. It should not be possible for an entire community to be put on hold for virtually an entire year. That should not be possible in Ontario in 1982. The announcement yesterday means that a shutdown that began last June will be extended to April 4, 1983, a further three months.

Do you have any idea, Mr. Speaker, what it means to families who have been unemployed for that length of time, since June, and who have managed their affairs with the expectation that, come January, things would get back to normal? They expected to start to bring home an income again, to go to work every day. To have that expectation and to have managed and planned their affairs with that in mind and then to have it all dashed by the announcement yesterday is simply unacceptable.

3:20 p.m.

Do you have any idea, Mr. Speaker, what it means to the business community in Sudbury? They have been clenching their teeth and hanging on by their fingernails to get through the Christmas season, because of the disastrous economic conditions in Sudbury, in anticipation that in January things would get back to normal. Now that will no longer be possible. The shutdown is extended to April 4, but it will be longer than that before any funds start coming to the private sector.

I wish members of this chamber could come and sit in my constituency office on any given day of the week and listen to the people who come into the constituency offices in the Sudbury area and talk about their problems.

Miners who have been mining for 25 and 30 years come in with a handful of unemployment insurance cards that are supposed to go back, and they do not know how to fill in the cards. They suddenly feel that they are stupid. They feel there is something lacking in themselves when they cannot cope with these simple computer cards. First, the cards are not simple; and second, it is outrageous that we should put working people through this, which is absolutely no fault of their own.

Despite the two previous emergency debates, absolutely nothing of substance has been done by this government. The present unemployment rate in the Sudbury area is somewhere between 32 per cent and 40 per cent.

The Minister of Natural Resources (Mr. Pope) talks about 1,000 workers being employed. Pardon me, but large charge; we are not very impressed by 1,000 people doing part-time, make-work projects in the Sudbury area. If one asks those 1,000 people whether they are glad to have those jobs, of course they are, but let us talk about the vast majority of people who do not have jobs in the Sudbury area.

We presented to the Sudbury community, and I sent a copy to the Premier (Mr. Davis) today, a document entitled A Challenge to Sudbury, in which I and my colleague the member for Sudbury East (Mr. Martel) laid before the leadership of the community some very specific proposals to deal with rebuilding the Sudbury economy.

It is no longer enough to implement make-work projects. The decline in the Sudbury economy is substantial and it is long term. In 1972, there were approximately 18,000 hourly rated employees at Inco. Now they are saying that within five years there will be somewhere between 7,500 and 8,500 workers.

It is time we replaced rhetoric with action, because rhetoric is all we have had from the government so far, and what we would like to do this afternoon is to lay before this chamber these very specific proposals.

If there was an emergency a month ago, there is more of an emergency now. If it was an emergency a month ago, it is an emergency now just as it might be two days from now, when the government thinks that perhaps we should be having a debate. We are saying it is an emergency right now, and we really must have that debate today. Unless we can debate in this chamber what the alternatives are, then the government simply gets off the hook, commissions more studies and does virtually nothing of substance.

We are saying it is time for some very substantial action to be taken. We have some very concrete proposals to make to the government. We think they are serious, and we think

they are practical. We urge the members of the government party and the members of the official opposition to support this motion for an emergency debate.

Mr. Van Horne: Mr. Speaker, again I rise to support the motion of the member for Nickel Belt for an emergency debate. It is abundantly clear to me, and it should be clear to everyone in this chamber, that the situation in the Sudbury basin is not unique and singular in the north but, rather, is a symptom of the situation right across northern Ontario.

The motion of the member for Nickel Belt makes reference to the misery that the announced extension of the shutdown will bring to the thousands of Sudbury families. It makes reference to severe dislocation, and it makes reference to the lack of any program to accommodate this latest setback.

Time and again during this session and over the past five years, from the time I came into this chamber in 1977, we have heard of the problems of northern Ontario, and we have heard of the problems of Sudbury. They have been studied in various ways, shapes and forms. For example, a select committee studied the situation and made a variety of recommendations to this chamber. It urged all levels of government to investigate and develop a program of industrial diversification in the Sudbury area. That was the number one recommendation. It goes on to make reference to needs in other parts of Ontario.

But I submit to members that between that time and now we have had very little more than Band-Aid programs put on a situation that obviously requires major medical treatment, if not major medical surgery. Very obviously, this government does not have any idea of what it should do.

Interjections.

Mr. Speaker: Order.

Mr. Van Horne: Earlier today in the chamber we saw a situation that I think is rather symbolic. The first question this afternoon from my leader to the Premier was passed on by the Premier to the Minister of Natural Resources. At that point the Minister of Northern Affairs (Mr. Bernier) was not in the chamber; so the question could not be put to him.

When one sees the ball being bounced around like that, one has to ask, which is the lead ministry in this government that is taking some responsibility? Who is grabbing hold of the reins? Who is running with it? And what we get in response we can find only in words uttered in the various ministers' speeches: "It is being studied" or "It is being referred." Nothing specific is happening, aside from the few dollars that are being put into temporary programs.

The member for Nickel Belt referred to specifics he would like to see put in front of the House this afternoon. The last time I spoke on this issue I indicated that our party also had some specifics we could offer and, as a matter of fact, have offered as solutions. None of them has been acted on.

The north is tired of being studied. The north needs long-term plans for what have been long-term problems. It is time that the people of northern Ontario saw something more than the Minister of Northern Affairs running around like a St. Bernard, handing out his little drops of revival juice to those in need to sort of get them going for the moment. They need something more than St. Bernard treatment: they need to see a leader in this province; they need to see some direction.

The job situation is deplorable. What happens to the people who no longer have jobs and, beyond that, who no longer have unemployment insurance? How many are on welfare? How many are moving out of the province? What is happening to industries other than the mining industry?

The situation is serious, it demands the attention of this House, and I again am pleased to support the motion of the member for Nickel Belt.

Hon. Mr. Wells: Mr. Speaker, first of all, my friend who has just spoken asked, "Who is taking the leadership in this matter?" I submit to him that many people are taking leadership, and one of the basic premises this government has always operated on is that the leadership should come from the local area to involve all levels of government.

It is my understanding that the regional chairman, Tom Davies, has formed a committee that has already talked to the members on that side, to the members on this side, to the federal minister, who is the member for Sudbury, and to all those people in the community. The purpose of that committee is to come up with some long-term, reasonable achievements. This government stands ready to co-operate and work with Tom Davies and the people of Sudbury to come up with some long-term, reasonable achievements.

3:30 p.m.

My friends will ask, what is the proof of that statement? The proof of that statement is that two and a half years ago when the Sudbury area was in difficulty, this government co-operated to provide jobs in Sudbury under the leadership of the member for Sudbury (Mr. Gordon), the former mayor of Sudbury.

[Applause]

Mr. Martel: Is that why 5,000 people have had to leave the Sudbury area?

Mr. Speaker: Order.

Mr. Martel: Don't tell me about that nonsense.

Mr. Stokes: You were just applauding the fellow from northern Ontario who hasn't got the intestinal fortitude to get up and speak in this House.

Mr. Speaker: Order.

Mr. Martel: Mr. Speaker, 5,000 people have left the Sudbury area. Let the government House leader tell me about the success that illustrates.

Mr. Speaker: Order, please. I remind the member for Sudbury East, in regard to the note he sent to me earlier, I would not want history to repeat itself on this date.

Hon. Mr. Wells: As part of that program, two and a half years ago or shortly thereafter, it is also my recollection that this government funded, to the tune of about $600,000, a group called Sudbury 2001, of which the member for Sudbury East and the member for Nickel Belt are members of the board of directors. Perhaps they could tell us about some of the programs that group had in mind for the Sudbury area.

Mr. R. F. Johnston: How much are you paying in welfare?

Mr. Cooke: What's the unemployment rate today?

Mr. Martel: You gave the cheque, Leo.

Hon. Mr. Bernier: You approved it.

Mr. Martel: No, I didn't; I never did.

Mr. Speaker: Order.

Hon. Mr. Wells: We have very patiently debated this subject. No one in this House will deny there is a very urgent and real problem in the Sudbury area. No one will deny that all levels of government want to solve it and that all levels of government are working towards that end.

We have debated this as an emergency matter twice already in this House. If we were just going to be dealing with some fairly trivial piece of legislation today, perhaps it would serve our purpose well to debate it here again, but we do have the windup of an important debate scheduled.

I submit that we have debated it in the past, and as we are all dedicated to solving the problem, I can tell my friends having the MPP for Sudbury in this caucus is worth 15 emergency debates.

Mr. Martel: Mr. Speaker, on a point of order: Rule 19(b) suggests that when two or more speakers rise to speak the Speaker shall call upon the member who in his opinion rose first in his place. I thought I saw the member for Sudbury standing in his place to speak to this motion.

Mr. Speaker: I didn't see him.

Mr. Martel: I move that he be recognized.

Mr. Speaker: Order. I refer the honourable member to standing order 34(a), which says: "One member of each party may represent the views of that party." The member for Algoma.

Interjections.

Mr. Speaker: Order.

Mr. Laughren: On a point of order, Mr. Speaker: With the co-operation of the government House leader, I wonder whether he could explain why it is not an emergency today but it was a month ago.

Mr. Speaker: Order.

Mr. Laughren: Did he not hear the question? It is a legitimate question.

Mr. Speaker: That is not his determination to make, I must point out with all respect.

Mr. Laughren: He can say one thing one time and another thing the next.

Interjections.

Mr. Speaker: Order. I have listened with great interest to the comments of the members of all three parties. As all the speakers acknowledged, there have already been two full debates on the Sudbury situation during this session under standing order 34(a). I agreed to the second one on the basis that there appeared to be sufficient difference to allow it the benefit of the doubt. However, I now feel the subject has been well covered. The recent announcement is not sufficient to merit an additional debate, which in my opinion can only be repetitious. I therefore rule the motion out of order.

Mr. Renwick: On a point of privilege, Mr. Speaker: The rules require you to rule whether the motion is in order and of urgent public

importance. I ask you to rule on both portions of the motion.

Mr. Speaker: I will be happy to. I want to advise all honourable members that I did indeed recognize the urgent importance of it by allowing the two previous debates. The importance has not diminished in any way, shape or form. I acknowledge that. As I said before, the reason I am making this ruling is that the debate cannot help but be repetitious.

Mr. Renwick: On a point of order, Mr. Speaker: I draw your attention to the rule as it is stated under 34(a), that you do not make any determination on the matter of whether it is in order or of public importance until such time as representatives of each of the parties have spoken for up to five minutes. You are now required under the rules of this House to determine two things, whether the motion is in order and whether is it is of urgent public importance. I am asking you to make both portions of the ruling, Mr. Speaker.

Mr. Speaker: I guess the honourable member did not hear.

Mr. Cooke: We heard, and you are sitting on the fence.

Mr. Speaker: I am not sitting on the fence. I ask the honourable member to be quiet and listen. In actual fact, I have ruled the motion to be out of order and not of urgent public importance because I have already allowed the two previous debates. In my opinion, this debate could only be repetitious and nothing would be served by it. Therefore, I rule the motion out of order.

Mr. Laughren: On a point of order, Mr. Speaker: You leave me no alternative whatsoever but to challenge your ruling.

3:55 p.m.

The House divided on the Speaker's ruling, which was upheld on the following vote:

Ayes

Andrewes, Ashe, Baetz, Barlow, Bennett, Bernier, Brandt, Cousens, Cureatz, Davis, Dean, Eaton, Elgie, Eves, Fish, Gillies, Gregory, Grossman, Harris, Havrot, Henderson, Hodgson, Johnson, J. M., Jones, Kells, Kennedy, Kerr, Lane, Leluk, MacQuarrie, McCaffrey, McCague, McLean, McMurtry, McNeil, Miller, F. S., Mitchell;

Norton, Piché, Pollock, Pope, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Shymko, Snow, Stephenson, B. M., Sterling, Stevenson, K. R., Taylor, G. W., Timbrell, Treleaven, Villeneuve, Walker, Watson, Welch, Wells, Williams, Wiseman.

Nays

Allen, Boudria, Bradley, Breaugh, Breithaupt, Bryden, Cassidy, Charlton, Conway, Cooke, Cunningham, Di Santo, Eakins, Edighoffer, Elston, Epp, Foulds, Grande, Haggerty, Johnston, R. F., Kerrio, Laughren, Lupusella, Mackenzie, Martel, McClellan, McGuigan;

Newman, Nixon, O'Neil, Peterson, Philip, Reed, J. A., Reid, T. P., Renwick, Riddell, Roy, Ruston, Samis, Sargent, Swart, Sweeney, Van Horne, Wildman, Worton, Wrye.

Ayes 62; nays 46.

4 p.m.

ORDERS OF THE DAY

INFLATION RESTRAINT ACT
(concluded)

Resuming the adjourned debate on the motion for second reading of Bill 179, An Act respecting the Restraint of Compensation in the Public Sector of Ontario and the Monitoring of Inflationary Conditions in the Economy of the Province.

Hon. Mr. Wells: Mr. Speaker, it has been agreed that the time for the three windup speeches on Bill 179 will be equally split this afternoon. Could we ask the table to keep track of the time?

Mr. Mackenzie: Mr. Speaker, I rise to oppose Bill 179 and to ask as seriously as I can all members of the Liberal and Conservative parties to reconsider their support for this bill. The legislation before us today is one of the more dangerous and despicable pieces of legislation that I have seen in the short seven years I have spent in this House.

The bill before us removes from several hundred thousand public service workers in Ontario for a period of one to three years basic and fundamental rights to free collective bargaining won over an awful lot of years of effort. Many members in this House probably do not realize that it is not very many years ago when it was a criminal offence in Ontario for workers to organize collectively.

To hospital workers, cleaners, correctional workers, children's aid workers, policemen, firemen, nursing home workers, workers in homes for the retarded, teachers, workers in homes for the aged, psychiatric workers, gardeners, ambulance drivers, mental health workers, librarians, day care workers and many

more, this bill simply says: "You do not have the same rights as doctors, lawyers, businessmen and private workers. You are not equal. We, the government of Ontario, are deliberately removing your rights. We are sorry to have to do it but we are doing it.

"We are breaking contracts arrived at by two parties bargaining in good faith. We are removing your right to strike"—something else that was a long, hard battle for many workers—"We are removing your right to arbitration." The bill also says, "Big brother is going to decide what you are worth and you have no right to appeal."

While the government professes regret, it singles out public service workers as the target and, therefore, as the culprit for the economic problems we are facing in Ontario today. The bill not only clobbers these workers but at the same time tries to impose on them a major guilt trip for the province's troubles.

Surely there can be a no more insidious, undemocratic and unfair broad-brush attack on so many thousands of public servants. Not since the federal War Measures Act have we seen as much direct power over as many people concentrated in the hands of government to the direct detriment of the people affected. Surely, no member—and I ask the members of the other two parties who believe in fundamental democratic principles to think about this—can agree to such a complete and arbitrary denial of the rights of one sector of our work force.

Whether it likes the analogy or not, what this government is doing is similar to what is being done in Poland except that we are not using a gun and are not banning unions totally. We are, however, saying: "You have no rights. We are tying you up for one to three years, but we are doing it with legislation because we are a democracy." It is sick legislation and should be treated as such.

I smiled at the little debate on the problems of farmers the other day. This bill treats the public service worker even worse than this government now treats farmers. The farmers are taken for granted by the Conservatives now, and have to justify increases in the farm-gate price of their products. The same Conservative government, however, puts no restrictions on the big buyers or chains. Nobody makes them justify the add-ons or increases in their prices. It is not hard to see who has become the most powerful friend of the Conservative Party in Ontario.

The public service worker does not have the opportunity to try to justify his needs, however legitimate they may be. In most cases they are either rigidly controlled or, in some cases, wage increases already negotiated for another year are rolled back. The unfairness, the double-standard hypocrisy is evident in many ways. I had intended to give a few comparisons but the time is short.

Workers are aware of the increases granted in the salaries paid to top officials of companies in Canada. The following figures do not include their pension arrangements. The salary of Mr. Grandpré of Bell Canada went from $514,000 to $626,000 in his most recent yearly increase in salary. That of Hiram Walker executive William P. Wilder went from $314,000 to $404,000. The salary of Mr. Armstrong of Imperial Oil increased from $408,000 to $480,000; that of W. F. Light of Northern Telecom, from $348,000 to $516,000; and Rio Algom's Mr. Albino had his salary increased from $269,000 to $396,000.

4:10 p.m.

I do not have time to cover it, but we also had an idea of what happened in one of the areas, admittedly more federal, but where we have recently dished out another good dose of assistance out of the public Treasury. I am talking about Dome. We find there was a 100 per cent increase in salary for the president of Dome, according to documents filed in the US before the Securities and Exchange Commission, and a 53 per cent increase in the salary of the vice-president, just before we bailed them out; and so on down the line.

One begins to wonder at the double standards in our system. A piece out of the Financial Post this week has a couple of little paragraphs that are interesting. The good news is that the 1982 management salaries averaged 13.7 per cent more than 1981, a full one per cent increase in management salaries. In the finance and general industry categories, increases are in the range of 19 per cent, 15.3 per cent, 15.7 per cent and 16.2 per cent. Those are the kinds of increases we have.

Let us compare that with what we are giving to public servants in Ontario. Let us take a look first at our own employees, members of the Ontario Public Service Employees Union, working for the government of the province. There are 52,324 of them and they receive from a low salary range for the 4,300 in the general operations category, an average of $17,157 a year, to the highest ranges for the 4,300 working in the scientific and professional classifications at $28,000 a year. I do not think that is too high, but that is the highest average classification.

There are 5,500 in administration services at

an average of $27,615; and 5,538 working in technical services at an average salary of $23,635. Those are the high levels among the 53,000 employees we have. Incidentally, those are the figures for the end of current contracts they negotiated, which in some cases are going to be affected by the rollback.

These salaries are based on the December 31, 1982, to December 31, 1983, expiry of their contracts. If we eliminate the top 25 per cent, or 15,398 employees in the three highest categories, professional, administration and technical, we have about 37,000 left who will average $19,000 at the end of their current contracts. These are the people this government is using as cannon fodder in its so-called war on inflation. There are almost 37,000 workers averaging $19,000 a year, if they retained their present earnings under contracts negotiated in good faith.

Some of these people, such as 10,000 clerical workers at an average salary of $10,000, and 7,000 office services workers at an average salary of $19,000, at December 31, 1983, stand to lose as much or more than $1,000 a year because their contract will be rolled back from 11 per cent to five per cent.

Who is this government trying to fool by what gross and distorted hypocrisy? I listened to the leader of the Liberal Party tell us that the legislation should cover everybody, not just the public servants. He said it was not long enough; I nearly fell off my chair when he also said we should have legislation in place even in the catch-up period so nobody could try to catch up at the end of this one-year to three-year period. My God, we know whose side they are on.

Let us take a look at teachers. We know of the Peel arbitration award of 12 per cent—that 12 per cent drove the Premier (Mr. Davis) up the wall, and the university faculty award of 18 per cent also seemed to be unacceptable to him from what we hear. I want to remind this House that approximately half of the 106,000 teachers in Ontario have signed contracts. The average salaries for these professionals who are teaching our children are: elementary public, $30,800; high school public, $36,500; Roman Catholic separate school, $32,400.

The Premier's anger at the arbitration awards I mentioned might have been more honest and carried more weight if he had shown as much anger at the doctors' award of 42 per cent over three years from a base average of $90,000 to start. It seems to me he let his class bias show more than just a little.

Further, the trend of increases for teachers and the relationship to inflation is very interesting. I have to put these figures on record. In 1978, the percentage on-grid increase for teachers, and they seem to be one of the culprits of this bill, was 6.88 per cent. The total compensation worked out at 9.5 per cent and the inflation rate in that year was nine per cent; so they gained a half per cent on inflation in 1978.

But in 1979 the on-grid increase was 5.93 per cent, their total compensation gain was 8.6 per cent and the inflation rate was 9.1 per cent; so they lost it in 1979.

In 1980, 7.26 was the on-grid increase, 9.6 per cent was the increase in total compensation and 10.1 per cent was the inflation rate; so they went behind in 1980.

In 1981, 8.57 per cent on grid, 10.6 per cent in compensation and 12.5 per cent inflation rate; they went way behind.

In other words, these terrible villains in the Premier's eye were already, in 1979, 1980 and 1981, below the rate of inflation, which is supposed to be one of the reasons for this bill. Once again the policy of this government is punishment, pure and simple. If it is not, then it is clearly a deliberate attempt to undermine and destroy free collective bargaining in Ontario. The Conservatives seem to want a docile, depressed and defeated work force.

I could not help taking a quick look at a bulletin put out by one of the teachers' groups that dealt with the Auld report. It makes the very point I am making. A couple of the comments in here are very clear. It says:

"It was alleged that public sector wages were leading other sectors of the economy"—this is out of the Auld report—"setting the pace for private wage inflation as well. Detailed studies since the end of the AIB have uncovered little truth in these assertions.

"During the imposition of the AIB, public sector wages were on the average controlled more than those of the private sector. With the exception of the second quarter of 1981, private sector wage increases have exceeded those in the public sector in Ontario.

"The truth of the matter is that even with the higher settlements in the last three quarters of 1981, public sector wages are roughly five to six per cent below those of the private sector."

They go on to make a number of recommendations that I think are significant and deal with this problem.

I do not know what this government wants, whether it is to return to the pre-union days

when labour was a commodity industry could command on its terms, in its time frame and subject to the whims of its friends in management. If it is, as far as I am concerned it is never going to happen again, and I do not care what steps we have to take to prevent this from happening in Ontario.

Let us take a quick look at the Service Employees International Union. We find another very interesting and sad story. There are 35,000 members in this union. Once again at the low end of the salary scale, 2,300 workers in 33 nursing homes received the magnificent award of $2.15 an hour in October 1982 to raise them to an average of $15,951 a year. A year down the road that is what they will be getting: $15,951.

A further 8,148 workers in six locals that bargain for 46 hospitals have been given an 11 per cent increase that expires on July 30, 1983. With this increase they will make $17,170 a year. They get zapped with five per cent in the year following that.

What in God's name, I ask all government members, have these thousands of hardworking, dedicated hospital workers and nursing home workers at $16,000 and $17,000 a year got to do with inflation in Ontario?

What about day care workers? I met with some of them Saturday morning in my constituency office. Their starting rate is about $8,200 out of the Mohawk course. The majority are making $10,000 or $11,000 maximum, and they are affected by this legislation. What have they got to do with inflation in Ontario?

What is going to happen to women in our province with this bill? The wage restraint bill affects women directly in at least two ways. It will affect a large number of lower-paid women—many of those I talked about in the government, service employees, hospital unions —by controlling and reducing their wages. The bill will also have a direct effect on affirmative action programs, reducing still further their already limited effectiveness because of the limit on wage increases and the handcuffing of their unions.

There is currently a gap in earnings between men and women workers in this province of $6,271 a year on average. Wage controls seem to be an easy way for the Tories to help their business friends, who voice the strongest opposition to equal pay for work of equal value. Right or wrong did not enter into any of the arguments we got, either from business or from the government, nor did the fact that the women may have been able to perform the work equally in any of the jobs outlined and were certainly worth as much. The additional cost was the only and the final line we got in the arguments.

4:20 p.m.

This bill ends for the time being efforts to achieve any parity. Worse than that, it will probably increase the gap as near as we can figure by about $300 a year. This is going to come about as a result of the five per cent limit and the number of workers affected who are women.

Let me repeat, the control of the wages of thousands of lower-income workers, many of whom are women, means using Bill 179, in effect by the back door, to put an effective stop to equal pay for work of equal value and to any real progress through affirmative action.

It seems to me it is just another example of the loss to workers, similar I think to the points outlined by my colleague the member for Riverdale (Mr. Renwick) through the notwithstanding power in this particular bill.

I had wanted to deal with teaching assistants but I just do not have the time with the limitations that are imposed upon us. I want to point out very clearly that the legislation is unfair, it is heartless, it is cruel and demeaning and, to make it worse, the charge this government is clearly levelling, the charge that somehow or other these people are part of our problem of high inflation, is untrue.

I say to the Premier, they are not guilty. I say to the Attorney General (Mr. McMurtry), to the Solicitor General (Mr. G. W. Taylor) and to the Minister of Labour (Mr. Ramsay), that they are not guilty. I would dearly love to know where the latter minister has been in all of this debate. I have not heard him speak and I have to wonder at the kind of presentations that were made in that cabinet on this issue.

I say to the Chairman of Management Board (Mr. McCague) and to all of them, these workers are not guilty. I say to all the members of the cabinet and to all the aspiring and the has-been, back-bench Tories, they have exercised their spleen on innocent, hardworking, essentially low-paid workers in their own and in the public employ.

They have found them guilty and have sentenced them to broken legal contracts and the loss of fundamental basic rights. They have arbitrarily controlled their wages and conditions, and they have got the wrong party in the whole exercise. By the name of all that is decent and just, and if there is any Christian charity at

all, they should take another look at this bill before it becomes law in Ontario.

This double standard is not going to be lost on the low-paid workers of Ontario. This government, like the Reaganites in the United States, seems to be hell-bent on a shameless rush to be onside with the establishment and industry in this province, especially when times are tough and there are already pressures on working people.

The gap widens and Conservative and Liberal members do not seem to be bothered by it at all. I have difficulty understanding it. I suggest with genuine regret that the young unemployed, the young recently established in communities buying homes, probably with heavy family and mortgage commitments, and the older workers with pride who have never before in their work history known the uncertainty and fear sweeping the work place in Ontario today, are not going to take this brand of bad medicine lying down. Those members are in for trouble in Ontario.

I have to ask a couple of questions. Why has the member for Windsor-Sandwich (Mr. Wrye), the Labour critic for the Liberal Party, not been one of the speakers on bill? Why does he refuse to go to the open-line talk shows in Windsor that want to challenge him on this issue? Does he or does he not attempt to represent workers in Ontario?

Why has the Minister of Labour not been involved in this debate? What is this bill going to do to the future of collective bargaining in Ontario? I would like to ask him one specific question, repeating a question he was asked by a young, laid-off steelworker at the big meeting in Sault Ste. Marie.

That young worker got up and asked the minister if he would tell him how these controls imposed on all these low-paid public servants were going to help him as a steelworker laid off in the Algoma Steel mills because that company was not selling steel. It was not selling steel because people could not buy cars, refrigerators and appliances. Reducing still further the wages of all these low-income people who spend every cent of their income sure was not going to help him get a job back.

He wanted to know the minister's response to that and the minister did not have a response. It is not just the public servants; what is happening in Ontario is getting through to the private sector as well.

One cannot deal with this question without taking a look at what is happening in our economy generally and at some of the alternatives that are necessary. One of the major tragedies of this province, and I think we have to spend more time taking a serious look at it, is the extent of the branch plant disease we are suffering from. We are effectively losing control of the manufacturing sector in Ontario, and I personally fear that after that it will be the resource sector.

The extent and effect of the branch plant economy has been well documented and exposed to some public scrutiny. It seems to be hard to get these governments moving. We have a lousy record in research and development, and much of the blame in the private sector lies with the restrictions imposed on branch plants by their parent companies. We are not encouraged to seek export markets in many branch plants and, indeed, in some we are expressly forbidden to export because the market is the prerogative of the parent company offshore.

The legislation controlling, covering or seeming to cover these kinds of situations in this province—the whole question of shutdowns, branch plant operations, notice and the unilateral action of the multinationals—is almost totally uncontrolled in Ontario. The lack of government authority that could protect both the workers in the province and the resources, both human and financial, was all too clearly outlined in many of the cases before the plant shutdowns committee.

Once again, if we had the time it would be useful to make some of the arguments that were made not by us but by the companies that appeared before us. I do not think there was ever in history a more clear-cut example than the Bendix case, which came before that committee on plant shutdowns, where the Canadian boss himself, no less, made it clear that they had been in business 41 years, that they had made a profit in 40 out of the 41 years, that they had a trained and effective work force and that he expected to make even more money—the 400 workers at that plant and the operation—in the years to come.

Then he gets a wire from the head office of the corporation in the US that simply tells him he has two weeks as manager, not to close the plant down—they gave him a little bit of time to do that—but to justify why he should not shut down that plant, because by using the total productive capacity that was available in the American plants they could make more money. He said to us, "Even as the Canadian president I had to wire back and agree, because I know as a

responsible corporate officer of this company that yes, they could make even more money."

It did not matter what we were doing to 400 workers. It did not matter that they were making a profit. It did not matter that we are now importing that material. We did not have one iota of strength to stop it or a piece of legislation that would give us any clout in Ontario whatsoever.

The case of SKF—and I do not have time to go into it—was even more horrible, because in it there was a deliberate five-year plan by the company to remove the profitable small-bearing assembly runs to offshore plants and switch to the repair work and the larger-bearing assemblies that were not nearly as profitable and then to start saying, "Hey, this company is not making money."

We had no say in the product rationalization that was going on, but they were able then to use effectively the argument that they were not making quite enough money and that they were therefore going to shut the plant down; and they did. As I recall, some of the basic production went to Philadelphia, some to Brazil and some to France. But we lost another plant. That is happening with plant after plant after plant.

There was a devastating piece in the Globe and Mail on Saturday, October 9, 1982, entitled, "Machinery Sector Powerless Against Imports." It said: "Canada's heavy electrical industry is well developed and technologically able to meet any world competitor. It has been labelled by government as a key element in the country's economic growth over the next two decades. It is also dying on its feet.

"Canadian companies cannot sell in other major producing countries except the United States because those markets are closed," something I was referring to earlier. "But it is also difficult to make sales in North America or the Third World because the secure and profitable home markets of competitors are used to provide subsidies on export sales.

"Domestic legislation and government procedures are powerless against the inflow of foreign equipment at cut-rate prices. 'We are being forced to compete in our own country as if we were in a foreign country.' "

Then there is a very telling statement here. This was said, incidentally, by David Armour—not a New Democrat, as far as I know, but the president of the Electrical and Electronic Manufacturers Association of Canada. What does he say? He said:

"Between 1971 and 1981, industrial figures show that of some 30 orders for steam turbine generators outside the nuclear industry"—something we used to produce most of in this country—"only two went to Canadian companies."

I could go on with True Temper; I could go on with Walmer Transport, which we have not yet raised in this House. There are a number of other cases, such as the examples my colleague the member for Welland-Thorold (Mr. Swart) raised in this House, of materials and tools coming in and being repackaged—which makes them Canadian products—and jobs are lost. We import $43.7 million worth of wrenches, for example, another tool, most of which used to be produced in this country. It does not make any sense.

4:30 p.m.

Not many years ago, we canned more than 70 per cent of the peaches and tomatoes we eat in Ontario. We now can less than 30 per cent of the peaches and tomatoes we eat and we have shut down 30 odd canning plants. We have lost 2,300 jobs; that's the figure on the canning plants from Canadian Canners alone. It does not make any sense.

When are we going to start saying we are ready to subsidize, we are ready to put into effect a program of selective self-sufficiency? When are we going to start saying that some of the things we can make we should be making in this country, and start putting people to work with some of the money we are putting out rather than, in effect, shoring up hunks of iron. And we always get shouted down if we raise the fundamental question, because there usually are jobs involved. When are we going to start doing some serious and immediate planning that will put us back into the field in areas we should be in, in Ontario and in our country?

In all too many cases, we advance Canadian money, guarantee a Canadian market, assist in all possible ways the further takeover of Canadian resources—and that is a subject in itself. The Foreign Investment Review Agency is not worth the powder to blow it to hell but it is the one and only agency we have, and both Liberals and Tories want to weaken that agency. We do not have anything that takes a serious look at what is happening in terms of this sellout. The Treasurer (Mr. F. S. Miller) is the chief culprit, I think, in making the constant plea that if the government listens to the members of the New Democratic Party it will scare away foreign investment. That is the crappiest argument I

have heard in my life. We are selling the control of our industry in this province.

We do not have to look far to see some of the figures. The service account in investment income in this country, interest, payments out—and this is largely because of foreign control—in 1981: $4.9 billion; payments in—this is Canadians who have invested outside of the country—$384 million; for a deficit of $4.5 billion. Dividends: $3,191,000,000 going out because of this foreign-invested capital, and $1,247,000,000 coming in; or a deficit of that year of $1,944,000,000. Miscellaneous income, royalties, management fees, whatever: $5,530,000,000 out; $1,690,000,000 in; for a deficit of $3,840,000,000.

We have a deficit, because of what we have allowed in terms of foreign investment in this country without the controls, in that one year alone of $10,314,000,000. If we add that to the manufacturing deficit of $21 billion, we have an outflow of $31 billion. The only thing that saves our hide today is that we are still shipping out vast quantities of raw materials, but that road is going to end pretty damn soon. We cannot continue to have this blind faith in foreign capital. We have to take a look at selective self-sufficiency. We have to take a look at those things we can do well, that we have done well in the past, and all the ramifications.

If we get into some of the food products, we are also going to have to say to the chain stores that they will have to stock on their shelves with 50 per cent Canadian-grown peaches and tomatoes. It may take us a couple of years to get back into the business, but we sure as hell better start getting back into the business. The same applies to machinery or steam turbine generators or whatever the case is, that we can do well and should be doing well in this province.

I would like to spend a minute or two, but I guess I do not have time, on some of the definite suggestions we have made. They follow along the lines of the plea I have made not to rely totally on this kind of import capital.

To wind up, when the public service unions met with the Premier of this province in the spring they had what they took for a commitment from him that wage controls would not be imposed on public sector workers. One of the leaders of the public service union told me that this was about all the good that had come out of the meeting.

I am sorry to have to tell this House that I said to him, "Surely you do not believe the Premier." I am not proud of that, but I told him that. "I am certain," I said, "that he does intend to introduce controls, and I personally would not place very much faith in his word to you."

Do members know what he replied? That leader of one of the major unions in this province, somebody whom one of the Tory members has already described to one of my colleagues as the most dangerous man in Ontario, said to me that he felt he had to accept the Premier's word at face value, that until proved otherwise, the Premier was a man of his word. That is exactly what he said to me, and it was a bit of a put-down because I had spoken so strongly about it.

I suggest to the Premier and his colleagues that they have made a fundamental mistake, not just because their decision is a wrong one—and it is a wrong one—and not just because it is a mean and hurtful decision—and it is—but because it also says that the word of the Premier and of the government of Ontario is not to be trusted.

Examples such as this, more than anything else, undermine the fundamental trust and goodwill of people. A bill such as this raises cynicism and distrust among the public towards our cherished democratic institutions to a destructive flashpoint. It is a dangerous example to set. Actions such as this denigrate basic religious, moral and ethical values, and certainly the political system, and make a mockery as well out of the work ethic of people.

It is game-playing of the worst sort by this government. It is game-playing that is now taking advantage of the fear and despair of ordinary working people in Ontario. It is unworthy of any government. It is unworthy of this government of Ontario. It cheapens this government, the Premier and the cabinet.

I am sorry to be so vehement, but that is exactly where we are. I ask that the government seriously consider withdrawing this bill and taking a look at some positive alternatives and not make a negative, hurtful attack on a group of people in Ontario. I repeat my appeal to the Liberals and the Tories at the beginning of my remarks to take another look at this bill in one hell of a hurry and not to let this travesty of justice proceed through this House.

Mr. Conway: Mr. Speaker, before beginning my remarks I am sure all members present will want to join me in welcoming a very distinguished, former member of this House who is now discharging his parliamentary obligations in the nation's capital, the federal member for Hamilton Mountain, whom we are delighted to have with us here today. Ian, not only do we miss you, but some of us scarcely recognize you.

I want to stand and conclude the second reading debate on Bill 179 on behalf of my colleagues by indicating, as my leader did some three weeks ago, the support of our caucus for this particular initiative.

The Deputy Speaker: Just before you begin I want to remind you of the time limit of approximately 40 minutes.

Mr. Conway: Thank you very much, Mr. Speaker.

The Deputy Speaker: Thirty-four minutes. I am sorry.

Mr. Conway: I have endeavoured over the past 20-odd days to be in the House to hear as many of the speeches as was possible. I listened with interest, as I always do, to the Treasurer (Mr. F. S. Miller) and to the Premier (Mr. Davis). I thought the intervention on Thursday, September 23, by my colleague the member for London Centre (Mr. Peterson), the leader of this party, was exceptional.

4:40 p.m.

I listened to the comments of the member for Cochrane North (Mr. Piché), and I will be referring to those briefly a little later on. I listened to the member for Riverdale (Mr. Renwick) and to the rather lengthy intervention of the member for Downsview (Mr. Di Santo). I listened with great interest to the strong words of the member for Hamilton East (Mr. Mackenzie), who speaks on these matters with great feeling and conviction, particularly as they relate to labour.

I had intended to have a little more time than it appears I have as a result of earlier activities here this afternoon, so I will try to touch quickly upon many of the aspects of the speeches.

I was particularly interested in rereading the Premier's speech on the opening day, Tuesday, September 21, when he invited us to acknowledge this is a critical opportunity in which we must not "shirk our responsibility."

I was particularly struck by, and I want quickly to touch upon something the Premier said on page 15 of his opening statement: he said, "I think the record of this government on restraint is a sound one."

I just want to say that I know all members who were in the House the other day who listened to the very eloquent words of the member from Brant would be the first to agree that the profligacy of the government when it comes to expenditures continues apace.

Just this past week, as the member from Brant indicated, we have seen more government moneys spent on that great dream city designed by John White, as the member for London South (Mr. Walker) will know, on which the Conservative government has for the past 10 years spent literally millions of dollars, apparently bad millions after good.

I want to indicate the record of this government with respect to the management of its finances. I know the very distinguished member from Glengarry will want to listen carefully when I simply and quickly cite the funded debt of Ontario over the period of the Premier's hegemony.

The funded debt of Ontario in 1972-73 stood at $6.3 billion. Ten years later it stands at $19.4 billion, an increase of 208 per cent. The interest on that debt in this fiscal year is in excess of $2 billion. This means that for every household in this province the debt levy of the funded debt of Ontario is in excess of $720. That ought to say something about the record of the Conservative government when it comes to restraint.

For example, we know that this year the government of Ontario intends to spend $40 million advertising itself. I have to wonder, to what kind of restraint does that speak? When the Premier stands in his place and proudly beats his breast saying, "I think the record of this government on restraint is a sound one," I wonder how the soundness of that logic fits in with a funded debt that is now nearly $20 billion, a burden that is crippling many people in this province.

I want to comment quickly upon the speech of the provincial Treasurer who has just left us for a moment. He made two speeches, actually. I was particularly struck by some of what he said the first day, Tuesday, September 21. Quoting from the first page of his text: "I want this House to know that the legislation I will introduce today on behalf of the government is not an attack on any one sector."

Let me repeat—keeping in mind what the member for Hamilton East said about what he had indicated six months earlier—the Premier indicated then and the Treasurer spoke on behalf of the government on Tuesday, September 21, that this legislation was not an attack on any one sector. It gets even more interesting when a line or two later he said, "We are simply asking that sector"—meaning the public sector—"to moderate its wage increases."

A paragraph later he said the first piece of their package is, "the imposition of wage restraint in the public sector." It seems to me the

Treasurer flagrantly contradicts himself within three paragraphs of the opening of that speech.

I want simply and quickly to review the current economic situation. I know many members will understand we have before us what is truly an extraordinary measure.

Might I quote someone one who has taken the position that an equitable price and incomes policy ought to be proceeded with on a national basis before Christmas? This is because, in the words of the honourable gentleman, "These are extraordinary times requiring extraordinary measures." It was not the leader of the Ontario Liberal Party or the leader of the Progressive Conservative government in this Legislature who said those words. It was the distinguished finance critic of the New Democratic Party of Canada, the member for Kamloops-Shuswap.

I have listened with keen interest to the views of my friends opposite, and it has been quite a load of virtue and piety that we have been burdened with by the attitude adopted by various parties in this debate. I have very carefully surveyed the literature and the landscape in this province and elsewhere.

Mr. Martel: Well, Bill Wrye says you are going to vote against it on third reading.

Mr. Conway: I will not bother the member for Sudbury East (Mr. Martel) with the views of the New Democratic Party member from Brantford which are at some considerable variance from those expressed just moments ago by the member for Sudbury East.

Mr. Martel: We are not even talking about the same House.

Mr. Renwick: How are you going to vote?

Mr. Martel: It is a draconian bill, but you are going to vote for it, aren't you?

Mr. Conway: I will not bother the member for Riverdale, or the member for Hamilton East who just finished lecturing us about the national economic problems, by mentioning that—

Mr. Martel: Does the member want it both ways? "It is a bad bill, but we are going to vote for it."

Mr. Conway: —last Wednesday, I think it was, in Vancouver, Mr. Ian Waddell, NDP energy critic, won leave from the British Columbia court of appeal to challenge the government of Canada's decision to increase the export of natural gas to the United States; or that 24 hours later and 700 miles across the Rocky Mountains, the New Democratic Party leader, in Calgary before an assembly of oilmen, said it was the position of the Alberta New Democratic Party that it would be in the interest of the country to allow those gas exports to take place. I simply cite those examples to indicate that when it comes to the issues of political flexibility and ideological fluidity, the NDP in this country and in this province ought not to be too anxious to lecture any of the rest of us.

Mr. Nixon: They are fluid, all right. It depends on their audience.

Mr. Martel: How are you voting? Terrible bill.

Mr. Conway: The member for Sudbury East inquires how I am voting. I said at the beginning that I will stand in my place and, moments from this time, I will vote for this bill.

Mr. Martel: Terrible bill.

Mr. Conway: It is certainly not a perfect piece of legislation.

Interjections.

The Deputy Speaker: Order. I would suggest that the honourable member please speak to the chair.

Mr. Conway: I will, Mr. Speaker. I see that I have excited the enthusiasms of my good friend and honourable colleague from Riverdale who has in a very interesting speech—as he is able to do far better than I will ever be able to do, not being a member of the bar—drawn our attention to a variety of his concerns about the legal quality of Bill 179.

I was interested in what he had to say. And I remember the efforts of the New Democratic member for Port Arthur (Mr. Foulds), the distinguished deputy leader of the party, when he stood in this House days ago and very dramatically ripped a piece of paper in half, and said, "This is what the government is doing in this particular matter."

I was struck, because like the member for Hamilton East I have recently read the Financial Post. I read an interesting observation by Professor Mark Gold, who on that particular subject is quoted by a professor of law from Osgoode Hall here in Toronto. "Says Professor Gold, 'There is an emotional and moral allure to the notion of unfairness in a government tearing up contracts, but I doubt whether this has any legal substance.'" Perhaps there is a difference of opinion which the courts at some point in the very near future will have to deliberate.

I agree with Mr. Nelson Riis that these are exceptional times. It hurts me greatly to realize that there are now, seasonally adjusted, some-

thing in the order of 500,000 Ontarians officially out of work. The data indicates that in my own community of Pembroke fully 1,000 more people are looking for work today compared to a year ago.

Mr. Martel: And what is this bill going to do for them?

4:50 p.m.

Mr. Conway: As a member who represents a constituency with a very high proportion of public sector employment, both at the national and local levels, I like to believe that I am as sensitive to the views of those people as any honourable member to my immediate left. And I respect the members opposite for their very strongly held views on this subject; on this matter, as with others, I like to believe we have an honest and legitimate difference of opinion.

I well remember, as I look and see my friend the member for Cornwall (Mr. Samis) in the gallery, some years ago when we talked about the pressures under which those of us in eastern Ontario functioned in the political world. Maybe I had better not say any more than that because I do not want to unduly excite the member for Cornwall in so far as the debate on the NDP official policy with respect to minimum wage is concerned. I will not do that, I will leave him be. I just want to say that sometimes we have genuine differences of opinion.

Like Nelson Riis, I believe when we have this kind of economic malaise and underutilization of our plant capacity, and I am not going to bother with the recitation of the data, when we have unemployment running at rates that were quoted in this House this afternoon in communities like Sudbury, all of us must be very sensitive to the fact that these are not very ordinary times.

It has been made very clear to me in my part of this province that the community at large expects some leadership from government and understands that in these circumstances to work in the public sector by and large is to enjoy security. I live not far from Ottawa. If there is one happily isolated and insulated community in the middle of this terrible recession, it must be Ottawa. I feel an obligation—

Mr. Cassidy: Nine per cent unemployed, 9.4 per cent unemployed. That's a Liberal view for you.

Mr. Conway: I listened to the member for Ottawa Centre, as I always do, with great interest but I have to tell him that I think most of the economic indicators show that the national capital region has been less buffeted by this economic downturn than places like Windsor, Chatham and elsewhere.

Mr. Cassidy: You think 9.4 per cent unemployment is tolerable. Is that right? That is exactly what the member said. He says unemployment at that level is tolerable.

Mr. Conway: I do not say that at all. I am saying that like the federal leader of the New Democratic Party, I accept that there should be a public concern about the state of our national and provincial deficits. I listened at great length to member after member in the NDP rise and say, "Talk about inflation. Tell us about interest rates."

I am no great economist, but I do stand in my place and say that I see a direct relationship between a $3-billion provincial debt, inflation and high interest rates. I defy any member of this House to indicate that there is not a linkage. No less a person than the federal leader of the New Democratic Party says we have an obligation to be worried about the state of the federal deficit. I rather agree with Mr. Broadbent that we should be concerned about that. Governments running those kind of deficits are not helping the burden of inflation very much by drawing so much money out of the capital markets. At another time I certainly would be interested in pursuing with my friend the member for Riverdale how he sees no connection between those.

I have watched the Premier with great interest over the past number of days in this House. As I later confessed to some of my colleagues, given the special nature of the session, I was particularly concerned and rather annoyed last week with his rather irregular and visible jocularity. He was having a jolly good time. I remember him distinctly saying on Thursday, "Oh, would that there were some penetrating questions."

I just want to focus very quickly on the role of this particular Conservative administration. I was hoping I would have some time to take the member for York East (Mr. Elgie) page by page and step by step through the lovely blue-covered promise of the Board of Industrial Leadership and Development, outlined amid much public service supported fanfare that winter day in early February 1981.

I was really moved when I read those passages just the other day for preparation of this particular speech, but I note that since the promise of March 19, 1981—that election, as members on the other side will recall, to a large extent

focused on the very serious economic problems that faced this province. Most of the Tories went around saying: "Oh, that nattering nabob of negativism, the Leader of the Opposition. You know, being le français, he doesn't understand the dynamic of Ontario. He really is just being too down and too gloomy and too despondent. We have a program that will give great hope to the people of this province for the 1980s."

Seventeen months after that, there are 212,000 more Ontarians out of work than there were then. I hope the member for York East and his colleague the Treasurer will consider that, for those several thousand people, the promise of 1981 has been the performance of a government yielding that kind of unemployment in the following year.

It has not been unemployment for everyone. This government has had a job creation program. They have found a job for Morley Rosenberg. They have found a job for Omer Déslauriers. They have found a job for Gary Harron. They even have found a job for Sally Barnes and Fred Ross, and they have found a job for Ted Brown. They have kept the promise to their chosen friends. It is unfair for members of the opposition to say, generally speaking, that this government has no job creation plan because, with specific reference to its friends, there has been a job creation program. The transparent and pathetic quality of the same was to be read on the front page of the Toronto Daily Star some months ago.

Mr. Bradley: The first shall be last and the last shall be first.

Mr. Kennedy: Sally had a job.

Mr. Conway: The member for Mississauga South reminds me that Sally had a job. Well, she has a new job; and a job has been created, as I understand it, for Fred Ross. Can members imagine it, a job created in Kingston by the government of Ontario for liaison purposes? My friend the member for Ottawa East (Mr. Roy) reminds me that, about three months ago, Jodi White, the former aide to Mr. Clark, was put on a provincial salary in Ottawa. I think the salary was something in the order of $35,000 a year, including expenses. What was her job? According to press reports, it was to keep Queen's Park informed about goings-on in the national capital region.

I have been critical of the performance of the member for Ottawa South (Mr. Bennett), of the member for Ottawa West (Mr. Baetz), of the member for Carleton-Grenville (Mr. Sterling), of the member for Carleton (Mr. Mitchell) and of the member for Carleton East (Mr. MacQuarrie)—I think I have got the five Tories in the national capital region—but I have never been so critical as the Premier and suggested we need somebody in Ottawa paid $30,000 a year to report back, presumably in a way that the very powerful Minister of Housing and Municipal Affairs (Mr. Bennett) and his four other—

Mr. Stokes: What about the $175,000 the feds are using to send their civil servants to France?

Mr. Conway: I know, Mr. Speaker, that the former Speaker would be the first to draw attention to the rules of the House. I followed with much interest his earlier performance today, and I respected him highly for that. But the government has had a job creation program, there is no question about that, for the friends who were invited to—

Mr. Stokes: So much for Liberal restraint.

Mr. Bradley: Run federally, Jack.

Mr. Conway: I do not want to begin to recite the best of the post-Schreyer cleanout in Winnipeg, but I could quickly mention a number of happenings there. The former chairman of Manitoba Hydro comes to my mind, and he might make Ed Clark look like he was travelling in style, New Democratic Party style.

5 p.m.

Well, I am going to be a little controversial and say that the NDP may not be the best ones to be involved in this debate about inflation because, after all, they began this 32nd Parliament arguing the case of how 21 was 30. I submit to you, Mr. Speaker, that their legislative allocation is as lurid an inflationary example as one will find anywhere in this House.

I say this to the Premier in his absence, but in the presence of my friend the member for Hastings-Peterborough (Mr. Pollock). The Premier says, "I want really penetrating questions." I appreciate the global conditions and the national factors over which a government in Ontario would have no direct or immediate control, I am fair-minded enough to grant that in the first instance, but if the Premier wants penetrating questions he can begin with the questions that were put to him in his office and on the grounds of this building by the good people of Bancroft who were thrown out of work by the action of this government or, more accurately, by the action of one of its principal emanations, Ontario Hydro.

The Premier, in his search for a penetrating

question, might recall the penetrating questions put to him by the 390 miners who were thrown out of work in the town of Bancroft by virtue of the actions taken by that Ontario crown corporation. I will not stand in my place without thinking of those people who were brought here by my friend the member for Hastings-Peterborough—

Hon. Mr. Walker: That's a lot of nonsense and you know it.

Mr. Conway: I say to the Minister of Industry and Trade, the Premier has come in here, jokingly wondering where the penetrating questions are. I submit to him in a very parochial way—

Mr. Wrye: All you got was nine jobs.

Mr. Pollock: On a point of order, Mr. Speaker: I want to remind the member for Renfrew North that the people who bought the uranium from Ontario Hydro included two crown corporations. One of the buyers was from Germany, one was from the Saskatchewan government and the third was Eldorado Nuclear, a crown corporation of the federal government.

The Deputy Speaker: Order. I wish to thank the members who indicated another member had a point of order. Now, back to Bill 179.

Mr. Conway: I appreciate the intervention of the member for Hastings-Peterborough, but what he said is rather different from what he was quoted as saying in the Toronto Star some weeks ago. At that time he was quoted as saying, "I would have to say they let down that particular mining firm and that particular area."

In fairness to the member for Hastings-Peterborough, I know how hard he worked to convince the Minister of Energy (Mr. Welch) and the Premier. But, as he said then and will want to agree privately now, this Premier, in search of penetrating questions with respect to rehabilitating this deeply troubled Ontario economy, did not answer the good people of Bancroft, not only the 390 miners and their families but also, I dare say, dear Father Henry Maloney, whose name was perpetually invoked by the first minister. These people travelled back to the hardwood hills of north Hastings wondering what kind of answer and what kind of redress there would be from the man who has stood repeatedly in this House in recent days in search of penetrating questions.

The Premier can go to the great town of Bancroft if he wants to find penetrating questions that have not been answered by the very people who have done very little to solve the basic problem there.

When it came to dealing in a generous way with the uranium interests represented by Mr. Stephen Roman, the attitude of this government was decidedly different. I believe the people of Bancroft are entitled to precisely the same consideration, as a minimum, as the Roman interests.

The Deputy Speaker: I would like you to speak on Bill 179.

Mr. Conway: With all due respect, Mr. Speaker, I have looked at the introductory statements, particularly that made by the Treasurer—

The Deputy Speaker: You haven't even mentioned the bill in the past five minutes.

Mr. Conway: The bill deals with the whole matter of economic policy, Mr. Speaker. It is the centrepiece of this government's so-called recovery program.

Mr. Cooke: This is a really heavy speech.

Mr. Stokes: It's Tory circumlocution.

Mr. Conway: I listened for seven hours to the member for Downsview (Mr. Di Santo) and, while he is a dear friend of mine, I am not about to be lectured on circumlocution by anyone over there after this second-reading debate.

As my leader indicated, and as subsequent Liberal spokesmen have drawn attention to, we have very serious reservations about the bill as it is written. We are going to vote for second reading so that this bill can go to the committee at an early opportunity, so that there can and will be public input and so that, with our participation and the participation of interested public groups, it might be improved.

As we move into committee to discuss the merits of the government's restraint program, the Liberal caucus will be serving notice that we intend to move a series of amendments aimed at improving the equity in this bill, which we see as being inequitable in many respects.

I rose in my place and indicated to the Premier (Mr. Davis) that it was absolutely unacceptable to us that the doctors, the province's single largest income group, are going to be exempt. Notwithstanding the fact that they draw down something in the order of $1.3 billion in public dollars, they are going to be exempt while hospital orderlies are not. I find that to be a very serious shortcoming. We want to move in the committee to amend this bill to improve the equity, which we do not believe is as full and complete as it might be.

Similarly, we are concerned that the Inflation

Restraint Board under Czar Elgie is not nearly as proper as it might be. I am reminded by a government minister whom I shall not name that it might be Comrade Elgie to some over there, but we will leave aside with the old labour amendments, the so-called Elgie-Martel Concord Act, which sent the right wing into quite an orbit.

We do not believe that the Inflation Restraint Board as it is constituted here is nearly as public or as proper as it can be made to be. I find it very interesting that the first thing they want to do with it is exempt it from their own Statutory Powers Procedure Act. We do not think that is a very proper course of action.

We want to indicate that we will serve notice of amendment in the committee. We will be moving to include doctors and their fees as part of this anti-inflation program. We do not think the notching provisions are adequate, and we will be moving amendments to improve that component.

We also will be proposing to remove those measures that act unfairly to reduce pensions for those nearing retirement.

We want to allow for the right to strike or to seek arbitration over nonmonetary issues. Similarly, we want to allow for the right to strike or to seek arbitration for the unsettled 1981 contracts. We want to allow for similar treatment—merit increases—for those in all salary ranges. We want to ensure that union and non-union workers are treated alike in determining increases under the program.

We want to place some teeth in the price side of the bill by ensuring that cost pass-throughs and profit increases are not automatic. We certainly think that is what is so wrong with the current rent review program, and we know that it is within the competence of this Legislature and its standing committee on administration of justice to give much greater effect to that aspect of the bill.

5:10 p.m.

We are of course in no way satisfied that this bill is as evenhanded in the interests of equity with prices as it is with income. It is very imprecise and, in my view, calculatingly soft on the price side. As the Minister of Consumer and Commercial Relations (Mr. Elgie) will know, if there is not seen to be tough price control, he will run the same risk the Anti-Inflation Board ran when its course was complete. The analysis was that it was much tougher on incomes than on prices.

In the interest of equity, he is going to have to be far more evenhanded. He is going to have to indicate in the committee that he is prepared to include Ontario Hydro and that he is prepared to say, "Yes, we will control government costs." I mean the big-ticket items. It brings little comfort to know one's park permit is going to be held to five per cent when Ontario health insurance plan premiums or hydro bills are not.

The good people of Willowdale, Cochrane and Grimsby see through that kind of sham for precisely what it is. They are prepared in these tough times to give the government an opportunity to intervene, as it will do with this bill, but they want an assurance that what it says about equity and fairness is what it does.

They want an assurance that the government will control the most powerful lobby at work in this jurisdiction, the good friends of the Minister of Education (Miss Stephenson) in the Ontario Medical Association, that it will control OHIP costs and not allow a 17 per cent increase to take effect and that, with one of the big-ticket items, it will control Ontario Hydro and involve those people in the five per cent limit.

Notwithstanding the geniality of the minister in charge, we are particularly concerned about the almost unheard of discretionary powers he is allowed. Donald Gordon would be envious in his earlier incarnation. I would have thought that in 1982 the minister, as one of the very few over there committed to open government and freedom of information, would be very concerned about the amount of discretion and the amount of privacy that is afforded.

In a constructive and conciliatory way, facing these extraordinary economic circumstances, the Liberal caucus will go forward in these areas and in others to reform this legislation in the hope that, together with other aspects of job creation, research and development initiatives and a host of other things, we can do what the 1981 election campaign promise of the Conservative Party has not done: put this province and its economy on the true road to a better tomorrow.

Hon. Mr. Davis: Mr. Speaker, most of my caucus colleagues have heard me explain and support this bill; so I am really out to prevail upon the members of the New Democratic Party to change their position.

At the outset, I apologize to the two members opposite who have spoken in conclusion on this bill. I had hoped that we would have been discussing this yesterday. I had a couple of rather important commitments I had to keep

today, but I have been given a brief summary as to what was said by both speakers.

I also listened with interest to the summation by the deputy leader of the "community" party of Ontario. I was delighted to hear his observations. I will not go through the litany of job creation programs which I understand he referred to. However, he is a student of history, and if he would go back to the days of Mitch Hepburn, as the member for Brant-Haldimand-Oxford-Norfolk or whatever his constituency is can do, he would find those really were days of new job creation in Ontario.

Mr. Conway: Speaking of history, I read David Lewis on—

Hon. Mr. Davis: I understand, and I have great respect for David, but no author I know of is totally objective. Some authors are better than others, but no author I know of is objective. Listen, the member's colleague two seats removed is writing a book at the moment—at least, I think he is writing a book—and I intend to read it with great interest. When is it going to be published?

Mr. Nixon: You may need bifocals.

Hon. Mr. Davis: Listen, I do not need bifocals yet. Is it going to take that long to produce the book?

Mr. Nixon: What do you mean they aren't what you need?

Hon. Mr. Davis: Well, it is not a question of need; sometimes it is a question of want.

Mr. Conway: I bet Ed Havrot up in Timiskaming—

Hon. Mr. Davis: I would not be raising Timiskaming if I were you.

Mr. Conway: Listen, to see you with Ed Havrot up in Timiskaming warms my heart.

The Acting Speaker (Mr. Cousens): Order.

Hon. Mr. Davis: Actually, I never apologize for the company I keep. Quite obviously, the honourable member does not apologize for the company he keeps.

Mr. Conway: How are things in the Ontario northland, anyway?

Hon. Mr. Davis: I think things in Timiskaming are fine, obviously.

However, Mr. Speaker, I do not intend to speak at great length, first because there is not a lot of time and second because I am operating under some modest handicap. Members opposite will not think it is a handicap. I shall be relatively brief and try to deal with it in as unemotional a fashion as I can.

I think I can say at the outset that this legislation is not a bill this government enjoys debating in this House or seeing passed by this House. I say that quite sincerely. I do not recall any piece of legislation—in my time in government, at least—that has had the degree of discussion, consultation and soul-searching that went into not only the actual provisions of the bill but also the decision to move in this direction.

I say that not out of a sense of regret or a sense of sorrow but out of a recognition that we are living in unusual economic circumstances where some activity by governments was required. I will not go back very far in history to trace the birth and ultimate finalization of this bill except to outline to the opposition, and particularly to members of the New Democratic Party, one or two of the other options that were available to us.

I guess the basic reason for the introduction of this bill really relates to the concern of this government and of the general public about inflation. It is a concern that all of us sense, that inflation in this country is fundamental to our economic wellbeing and that certain initiatives had to be taken. They are not comfortable; we do not enjoy it. But, as I explained to my cabinet and caucus colleagues, none of us was elected to this House for the sake of enjoyment, and there are those occasions when we in positions of responsibility must do some things that are not totally pleasant for us in a personal sense.

The legislation is partially directed towards the creation of an environment that really relates to inflation, which, I would say to the members of the New Democratic Party, is still a fundamental concern and one that has led to a good part of the economic difficulties in which we find ourselves.

I said at the outset, many weeks ago, that our preference was for a national program. I do not say this with any regret. I accept the realities of this country, which are that the public sectors in the various provinces of Canada are different, the traditions are different and the ways of approaching things have been different.

I did explore with the other Premiers the possibility of having a national program of public sector restraint and, of course, before going to Halifax I sensed that there was no real likelihood of that emerging. I feel bad about it just because I think it would have been more acceptable if there had been a so-called national

program where there would have been some similarity from one part of this country to the other, but that was not to be.

5:20 p.m.

I think it is fair to state that I did canvass the other Premiers as to their reaction to a national program that would have impacted upon all Canadians and not just the public sector. Once again, it did not surprise me that all the other Premiers indicated they did not support it philosophically. Some of them sensed there was no need for it. So as to any possibility of there being a national program, it was obvious to me at least that it was not going to happen in August.

I have not changed my point of view. I am not totally comfortable with a bill that impacts upon thousands of Ontarians in the public sector with a sense that some of them feel that in terms of equity they are being prejudiced against. That is not the intent of the bill, but I understand the arguments that some make relevant to that issue. Part of my answer to that relates to a decision by this government that probably on balance it would be preferable if the private sector, as one might define it, were to react to the present circumstances in a voluntary fashion.

I did canvass very carefully the press conference and the statement issued by the Leader of the Opposition (Mr. Peterson) in mid-August, as I recall. I believe his preference was for a comprehensive program that would have included the private sector within the province.

Mr. Peterson: A national program.

Hon. Mr. Davis: I know he said a national program, but as I read the reports of the press conference—I was not invited; so I was not there—he indicated he would support a provincial program as well. I will be very frank with the honourable members—there are no secrets—we canvassed that at great length.

It is fair to state that in our discussions with the union leadership, they rejected controls in both the public sector and the private sector. There is no question that this was their point of view, and that point of view has not altered.

It is also fair to state that in discussions with the business community, they were obviously opposed—most of them but not all of them—to private sector controls within a single provincial jurisdiction. There were a few who felt that perhaps it was ultimately necessary but who, like ourselves, were going the route of hoping to provide, perhaps through this legislation and other actions, some measure of example for the private sector.

If I had been asked in July whether I had expectations that this would work, my answer would have been less enthusiastic than it is today. I am not totally convinced yet, but I think there are some encouraging signs. There are some contradictions. There are some settlements we have seen take place that are obviously above the guidelines, but there is some indication of some move in the private sector towards the general levels we have established.

When we explored this option, we assessed it very carefully. In fact, we had three options: the bill that is in front of us, a bill that would include the private sector, and the option of doing nothing. There was a fourth one which I will outline to members in the hope that there will be some understanding by the New Democratic Party as to where that option would have led us.

The member who spoke for the opposition party pointed out one of the problems contained in any program; that is, in the field of price. During committee we can discuss the route we have decided to adopt. I am not going to say for a moment that it is totally acceptable, because it is a very difficult area if one does not wish to interfere with some aspects of the marketplace. It is not a simple area, and I appreciate the remarks of the member when he points out his concern.

During committee discussions I hope there will be an opportunity, not only to explain or to defend, but also to get some understanding from the members opposite as to the practical approach we are taking in this legislation. In our view, it is workable. That does not mean it will be easy, but we think it is practical and an approach that can be implemented.

I say to the Leader of the Opposition, one reason we rejected, for the moment at least, the more comprehensive approach involving the private sector was that it could not include federally chartered institutions—we all know that—to determine price. I think if we had moved into the price area there would have to have been a far more comprehensive approach to price. We would have had great difficulties with commodities coming from western Canada and from eastern Canada in terms of administration or practical effect. It left us with some real doubts about whether this program would be effective.

My position has not altered. I have always been concerned about the equity but at the same time I feel that a single provincial program

for private sector controls probably is not practical. It is something we would consider as part of the national program. I guess all of us hope—I use the word "hope"—a federal program will not be necessary.

I want to trace once again one of the other options. I know this is very hard to explain to the people in the public sector. I have a very genuine sympathy with some of the concerns they have expressed. Another option we could have pursued and one that has been pursued by some other jurisdictions with somewhat different approaches would have been to deal with the Ontario public service alone.

In other words, we could have legislated, as they have done in some places, the Ontario government service. That would have been easier for us in terms of the numbers of people affected. It probably would have been less controversial to the members of this House. The option then that was open to us, or one that we would have had to pursue in all equity and all responsibility, was to move in the area of transfer payments.

I think if we had gone the route of legislating only Ontario government employees and then said to the hospital system, the school boards and the municipalities that we would not legislate with respect to the employees of those organizations, but we would have a transfer payment figure that would be consistent with what we were attempting to achieve—and I think that would also include probably a mill rate limitation in order to make it effective, because there would be no point saying that the transfer payments would be X per cent but the mill rates would be allowed to go up X plus Y so that we would be transferring the responsibility—in terms of actual money or actual restraint it would not practically work.

That was a very attractive political option for us. It would have been much easier for us to say to the Peel Board of Education: "We are not going to interfere with your contractual obligations with your profession. We are going to give you X per cent. We know full well that figure will not meet your obligations in terms of the salary component of your budget. You will not be allowed to increase mill rates beyond a certain per cent during the restraint period. You sort the problems out."

If we had done that, and it was a very politically credible option in my view, to the hospitals, to the school boards, to the universities, to the municipalities, particularly to the hospitals, universities and colleges where they had no access to mill rate, I would say, with great respect—and I would say this to Mr. O'Flynn if he were here, and to the head of the Ontario Teachers' Federation or any other public service union—that would have led to degrees of inequity far beyond anything contained in the bill.

What would have been worse? It has happened in some provinces. It has happened in every state of the union in the public sector when they went this route, either through municipal bylaws or municipal activity. It would have led to a substantially reduced public service work force. There would have been no alternative. I say with great respect to the member for Nipigon (Mr. Stokes), his school board would have had no choice but to limit its programs which, in turn, would have limited the numbers of teachers.

Mr. Cooke: It is called the Henderson report.

Hon. Mr. Davis: It has nothing to do with the Henderson report.

Mr. Cooke: That is what you did in 1975.

Hon. Mr. Davis: With great respect, it has nothing to do with the Henderson report. It would have been a responsible approach by this government that would have transferred the tough problems to the municipalities, to the school boards, to the hospitals and the universities. I say, with respect, that would have led to a substantially reduced work force in the public sector. There would have been no alternative. That would have been easier for us.

There were some moments when I asked myself: "Why take on all this grief? Let us just do the Ontario public service, and say to the school board in Rainy River or in Brampton: 'This is all you are going to get. You cannot increase the mill rates beyond such and such. You sort it out.'" Without fear of contradiction I can say that would have led to severe dislocation with those boards and agencies and would not have had the degree of equity—

Mr. Renwick: It would have been quite irresponsible of you to have taken that course or even to have considered it.

5:30 p.m.

Hon. Mr. Davis: With great respect to the member for Riverdale, until such time as he understands that there is not a bottomless pit, that the economy is in some difficulty, to say to us that we would not have to do this is wrong.

Mr. Renwick: It would have been quite irresponsible on your part.

Hon. Mr. Davis: Oh, come on. It would not have been an irresponsible option at all. I think it would have created more difficulty. It was one that was urged upon us by many sectors. I tell the member there is a bit of a contradiction. You put that proposal to some of the public service unions, and we would have been totally within our rights to do that, totally responsible in doing it.

I recognize that by this bill we as a government have assumed the responsibility that, if we had gone the other route, would have been that of the local municipalities, school boards, university administrations and the hospitals. We made that a conscious decision. I just point out, and I hope the public sector unions understand, what it would have meant with respect to employment if we had gone that route.

I want to deal with some of the myths that have developed in relation to this legislation. I do not quarrel for a moment with the idea that it interferes with the traditional bargaining process. There is no question. I am not going to argue for a moment that it does not. But I do not accept the statements made by the members of the New Democratic Party that it singles out people at the low end of the scale. Read the legislation carefully.

Mr. Renwick: You heard the figures this afternoon.

Hon. Mr. Davis: Listen, I have some figures as well. I know this is not that palatable to the member. If we look at some of our own provincial employees—and I am not going to say these salaries are fair or equitable, because any program of this nature recognizes the existing salaries—I am fully aware there are some who in their view, and I think on the basis of equity, are probably not receiving as much as they should. I will not argue that with the member for Riverdale.

But even if there were to be normal negotiations in 1983, I think the expectation would have been eight or nine per cent at the maximum. I do not want any misunderstanding. I said to Mr. O'Flynn that while the legislation refers to the $750 and the $1,000, from the standpoint of the government of Ontario, we are talking about the $1,000 limitation; we are not talking the $750 for our own employees.

There are a number of people in the employ of this government at a $10,000 salary—and I am not going to argue whether or not it is enough; that happens to be the existing figure—which means that, in 1983, under this legislation they will receive a 10 per cent increase. I say with great respect, no matter how competent the negotiators may be, with this legislation we will be within one or two points of what might have been negotiated in the bargaining process.

I listened to some members in the NDP say how we were taking X number of dollars out of the system. There is no question that a certain amount of money that would have been flowing from the government of this province will not be going to a specific number of recipients in the public sector. But I would remind NDP members when they say the province is "taking money out of the system" that the government gets it in only two ways: through taxation or through borrowing.

I know the position of the NDP is to borrow everything we need. I have listened to them for years. But I point out something else that will perhaps relieve their concern. If we had to increase the money we take out by way of taxation, which we were not considering as part of this program, that would have taken purchasing capacity from a much broader group of taxpayers.

A good portion of our transfer payments goes to the municipalities and school boards. If this program has the effect we anticipate, it will lead to a stabilization in mill rates. Who pays the taxes? Who pays real property taxes? A lot of people, including people in the public sector. If the mill rate increase is affected by this, then those members cannot effectively argue we have taken that much money out of the economy.

I know a little about purchasing habits as well. The five per cent figure may be two, three, perhaps four points under inflation in 1983, with some expectation that it will only be three. Is the member saying to me that at the medium income level, knowing what they are going to be paying in income tax, getting three points below that which they might have anticipated is realistically going to affect their consuming habits? I have to tell him that is utter nonsense. It will not. It will not impact upon the consumer in terms of the public sector.

It is not taking that money out of the economy. That is a myth he is perpetuating. I understand where he is coming from, but he just happens to be factually wrong. That is not the first time he has been wrong. It is not the second time he has been wrong.

Mr. McClellan: We will just wait and see.

Hon. Mr. Davis: All right, certainly we will wait and see. I am a patient man, but I have to tell the member to look at the figures realistically. Look at some of the averages. Look at the averages of the secondary school teachers in

this province. Is the member telling me that with the average secondary school teacher now earning in the neighbourhood of $36,000 per year, because of the differential between five per cent and what they had expected to get—perhaps nine or 10 per cent, and when they are paying tax on that it becomes perhaps a 2.5 per cent difference in what they had expected to get—the average secondary school teacher is going to postpone some consuming purchases?

Mr. R. F. Johnston: What about the day care workers? What about hospital workers?

Hon. Mr. Davis: I have to tell the member he is all wrong. It will not.

I noticed with some interest the head of the Ontario Secondary School Teachers' Federation is supporting the New Democratic Party leader in his campaign in York South. I have to tell the member that he cannot make those figures wash with the average person in this province.

Mr. Philip: You will find out November 4.

Hon. Mr. Davis: Sure. I know what they will think and I know all the things the NDP is saying in York South. I understand it all. I understand it all and I will not get into some partisan observations I could be prompted to make.

Mr. Cooke: You are never partisan.

Hon. Mr. Davis: No, I never am. At least I am somewhat more fair-minded than the member for Windsor-Riverside. That is one of the myths I hope he will try to explain as we meet with the representatives of the public service.

Mr. Renwick: That is a reality. It is not a myth.

Hon. Mr. Davis: It is not a reality. It is not a reality. I will argue strenuously with the member for Riverdale that this restraint program will have no negative impact in terms of the purchasing postures, or whatever term one may wish to use, of the vast majority of public servants in this province.

Mr. Cooke: The vast majority, especially those on lower incomes.

Hon. Mr. Davis: I gave the member the figures at the low end. He should get out his slide rule. Take our last agreement that was made, for some of them in the $8,500 category—the two agreements, I guess, that actually have a two-year impact—and calculate what the $1,000 does. We are very close to the agreement itself. The member has never looked at the agreements. He does not know what he is talking about, which is one of the great problems he always has in these debates. He really does not.

We have to understand something else. This government is not saying this particular bill is a solution to the problem.

Mr. Martel: Deal with high interest rates and inflation.

Mr. Speaker: Order.

Hon. Mr. Davis: The member is quick to criticize, but why does he not give some modest degree of credit for some of the joint programs that are going on as having some modest impact on interest rates? He has not raised interest rates in the last three weeks because they have been going down.

Mr. Martel: That is because the Americans are letting them go down. It had nothing to do with you.

Mr. Speaker: Order.

Hon. Mr. Davis: My guess is Bob Rae is going to have to go and get some of his material reprinted in York South because the interest rates have come down.

Mr. Martel: It is because Reagan wants to win the Senate elections. When the Senate elections are over, away they will go again. You have no control over it.

Hon. Mr. Davis: Oh, sure. Oh, come on, he is always a pessimist, always a pessimist. Always be a bit of an optimist.

Mr. Martel: He has a federal Senate election going on and you know it.

Mr Speaker: Order.

Hon. Mr. Davis: Oh, I see. The member is so cynical as to say the only reason interest rates are going down is not because the rate of inflation is going down in the United States, not because the rate of inflation is going down in Canada, but because the head of the Federal Reserve Board in the US is playing games because there is a congressional election going on.

I just do not happen to be that cynical. I do not happen to be that cynical. I have to say those fellows thrive on cynicism. I understand that. That is their be-all and end-all. Some of us are not.

5:40 p.m.

Mr. Conway: I read Morley's letter.

Interjections.

Hon. Mr. Davis: Do not get me started because I could go back through the member for St. George and a lot over the years. Do not

talk to me about trades and draft choices. Those people cannot represent total purity. Ask the member for Haldimand-Oxford-Norfolk and whatever.

Mr. Nixon: The member for Haldimand is here.

Mr. Speaker: Order.

Hon. Mr. Davis: Whatever; we do not represent this legislation as being the total answer. No one is making that statement and we should not assume it. We are genuinely of the view that—

Mr. Nixon: A little sensitive on that point.

Mr. Kerrio: He has every right to be.

Hon. Miss Stephenson: He has said that right from the beginning.

Hon. Mr. Davis: I am sensitive to everything. I am sensitive to the member for Niagara Falls (Mr. Kerrio) and all the statements of great affection and wellbeing I get from him every time we chat. I understand.

Mr. Kerrio: That has nothing to do with politics.

Mr. Roy: You said, "Morley, that is not true, we are going to put you on the Ontario Municipal Board."

Interjections.

Mr. Speaker: Order.

Hon. Mr. Davis: Does the member want me to start in on him? I shall. No, I will not today, but I can go back in history a little bit too.

Getting back to the main point, we are not suggesting this is a solution to the problem. We have urged upon the government of this country that there be a national co-operative program for what we have phrased "economic recovery." I have said this in the House before and I will repeat it: I was disappointed, and that is a modest way of describing my feelings, when the former Minister of Finance and the present Prime Minister said they would not meet with the provincial Premiers to discuss co-operative economic issues. I say with great respect to the Prime Minister of this country, that is—

Mr. Conway: They remember what happened to Joe Clark.

Hon. Mr. Davis: I have to say to the honourable member, a year ago we sat down with the first minister of this country and all the Premiers reached a consensus on another issue. I left that meeting with some expectation that perhaps a crossroads had been reached in federal-provincial relations.

I went back in February and I found the member's federal friend so defensive and desirous of political credit, "We do not want to give any money unless our minister can go and make the announcement and unless there is a red and white sign up in front of the University of Toronto." I was offended. I have never seen such a partisan view on the part of a national government.

It was a sort of trench mentality and I guess that is the reason the government of this country is not yet ready to sit down. That is the solution, not in terms of the definition of the program, but in terms of conveying to the people of Canada that the political leaders, whatever their political stripe, are prepared to sit down together, to discuss constructively and to assess carefully the various suggestions emanating from all parts of this country.

I do not think it has to be confined just to politicians. Because they have had this voluntary group headed by Mr. Sinclair travelling and talking about restraint, I have urged the Prime Minister to have a task force made up of business, labour and government to find motivation for economic recovery. It has been a one-sided program.

The Treasurer (Mr. F. S. Miller) has made it clear, as I have, that this is a part, an uncomfortable part and unpleasant part of what we as a government feel is essential. We do it out of a sense of responsibility. We do not do it out of a sense of enthusiasm.

Interjection.

Hon. Mr. Davis: You can be as cynical as you like, Albert—

Mr. Roy: You know you were polling for this. Don't try to stand there piously.

Mr. Speaker: Order.

Hon. Mr. Davis: When the member has nothing constructive to say, he has to take out his frustrations in his usual cynical sense. I understand that. I have sat here and listened to him for many years and he has not had anything really meaningful or constructive to say in the economic field since becoming a member of this House—

Mr. Roy: That's right and your candidate in Brussels has a lot to say.

Hon. Mr. Davis: —on the law, some, but in economics the member would be doing us all a great service to continue the practice of law so we can tax his great income. That is what he should be doing for us as he does every Monday and Friday.

Interjections.

Hon. Mr. Davis: I did not interrupt him. He should sit down. I am not paying any attention to him.

Mr. Speaker: Order.

Mr. Roy: Let Morley be the judge; ask Morley.

Hon. Mr. Davis: Mr. Speaker, I renew what I said at the outset when this bill was introduced. We do not—

Mr. Peterson: Don't be cynical.

Hon. Mr. Davis: Who is cynical? I am not a cynic.

Mr. Peterson: You are cynical because—

Mr. Conway: We can live with Allan Grossman and John Yaremko, but Morley?

Hon. Mr. Davis: I can get into a few other examples so the members opposite should be very careful. I say that to the Leader of the Opposition, because I have a long memory and I know a little history.

I finalize my observations on the very simple statement, not plea, to the members of the New Democratic Party. It is great for them to oppose this. I understand that. It is a matter of principle. But I hope they will at least show a degree of leadership when they explain to the public service and the heads of the unions that this is not a simple bill for government. It will provide a real measure of employment security that other options would not have provided. It does not take out of the economy the hundreds of millions of dollars suggested.

It is as equitable a piece of legislation as can be made. It is responsible; it is taking the right direction; and it is one that, while I do not like it, I support out of a sense of responsibility, not just to the public service, but to the eight-million-plus people of this province, whose economy at this moment is being impacted. We think it is right. We think it is responsible. I say to the members of the Liberal Party we appreciate their support. With great respect, they can conduct—

Mr. Sweeney: What did the polls say?.

Hon. Mr. Davis: The Liberals are far more sensitive to polls than we are. That is correct. Do they want me to tell them the efforts they went to to get a certain pollster? Do they want me to tell them all they have done in the polling area in the past three months? Do they want me to tell them what their leader has been up to in terms of that? I must tell them we are pure when it comes to the activities of the Liberal Party of Ontario. I say that to Brother Sweeney, because it happens to be factually correct.

Mr. Speaker: I would point out to all honourable members that the bells will ring for a maximum of 30 minutes on this vote. That is according to the standing orders; it is a prearranged vote.

Some hon. members: Five minutes.

Mr. Speaker: Is that agreed?

Agreed to.

5:50 p.m.

The House divided on Hon. F. S. Miller's motion for second reading of Bill 179, which was agreed to on the following vote:

Ayes

Andrewes, Ashe, Baetz, Barlow, Bennett, Bernier, Boudria, Brandt, Breithaupt, Conway, Cousens, Cunningham, Cureatz, Davis, Dean, Drea, Eakins, Eaton, Edighoffer, Elgie, Elston, Epp, Eves, Fish, Gillies, Gordon, Gregory, Grossman, Haggerty, Harris, Havrot, Henderson, Hodgson, Johnson, J. M., Jones;

Kells, Kennedy, Kerr, Kerrio, Lane, Leluk, MacQuarrie, McCaffrey, McCague, McGuigan, McLean, McMurtry, McNeil, Miller, F. S., Mitchell, Newman, Nixon, Norton, O'Neil, Peterson, Piché, Pollock, Pope, Ramsay, Reed, J. A., Reid, T. P., Riddell, Robinson, Rotenberg, Roy, Runciman, Ruston;

Scrivener, Sheppard, Shymko, Snow, Spensieri, Stephenson, B. M., Sterling, Stevenson, K. R., Sweeney, Taylor, G. W., Timbrell, Treleaven, Van Horne, Villeneuve, Walker, Watson, Welch, Wells, Williams, Wiseman, Worton, Wrye.

Nays

Allen, Breaugh, Bryden, Cassidy, Charlton, Cooke, Di Santo, Foulds, Grande, Johnston, R. F., Laughren, Lupusella, Mackenzie, Martel, McClellan, Philip, Renwick, Samis, Stokes, Swart, Wildman.

Ayes 89; nays 21.

Ordered for standing committee on administration of justice.

Hon. F. S. Miller: Mr. Speaker, pursuant to standing order 57, I would ask the House to waive the five-day period.

Mr. Speaker: Do we have the consent of the House?

Agreed to.

Hon. Mr. Wells: With the consent of the House, I would like to revert to motions.

Agreed to.

MOTION

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Hon. Mr. Wells moved that the standing committee on administration of justice hold two weeks, approximately 33 hours, of public hearings regarding Bill 179, sitting tonight, October 19, 8 p.m. to 10:30 p.m.; on October 21, 26 and 28 from approximately 3:30 p.m. to 6 p.m. and from 8 p.m. to 10:30 p.m.; on October 20 and 27 from 10 a.m. to 12:30 p.m. and from 2 p.m. to 6 p.m.; and on November 1 from approximately 3:30 p.m. to 6 p.m., with public participation ending on November 1; that normal clause-by-clause consideration of the bill start on November 2, 1982, with sittings Tuesdays, Wednesdays and Thursdays at the times set out above; and that after clause-by-clause consideration is finished, the bill will be reported to the Legislature.

Motion agreed to.

The House recessed at 6 p.m.

ERRATUM

No.	Page	Column	Line	Should read:
120	4328	1	31	**Hon. Mr. Norton:** 1. Printing—including typesetting, colour separations, layout and assembly: $14,000.

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Legislature of Ontario Debates

Official Report (Hansard)



Second Session, Thirty-Second Parliament
Tuesday, October 19, 1982
Evening Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Tuesday, October 19, 1982

The House resumed at 8 p.m.

AGRICULTURAL SOCIETIES AMENDMENT ACT

Hon. Mr. Timbrell moved second reading of Bill 163, An Act to amend the Agricultural Societies Act.

Hon. Mr. Timbrell: Mr. Speaker, honourable members may recall that on July 5, I introduced three bills into the House, namely, Bill 163, second reading of which I have just moved, to amend the Agricultural Societies Act, Bill 164 to amend the Horticultural Societies Act, and Bill 171, which amends the Farm Products Containers Act.

Bill 163 will increase the maximum government grants for cash prizes at agricultural exhibitions by $500, from the present $1,500 to $2,000. This will raise government expenditures under the program from $300,000 to $400,000 per year.

The $1,500 limit was set more than 20 years ago, and over the years the amount of prize money paid for exhibitors has increased considerably. This is due, of course, to inflation and to the increasing numbers of exhibitors at our fairs. Agricultural societies which organize fairs around the province now pay out more than $2 million to exhibitors of livestock, fruit and vegetables, home crafts and other agricultural products.

I might add that it has been my pleasure to have officially opened a number of those fairs this year. I look forward to visiting even more in the coming years and, of course, to the opening of the Royal Agricultural Winter Fair, which will take place three weeks from Friday, on November 12.

The province's 250 horticultural societies, with a combined membership of 60,000, do a great service to their communities. They are involved in landscaping, beautification and other horticultural projects all over the province. The provincial government assists their efforts with grants totalling about $200,000 annually.

The second major amendment I am proposing to the bill will incorporate all these societies and offer protection from personal liability for the individual members—voluntary members, I might add—of these nonprofit community service organizations for activities performed under this act. In order that such community organizations continue to thrive, I am pleased to submit these amendments for second reading.

Mr. Riddell: Mr. Speaker, in a period of crisis facing the farming industry, there is nothing particularly earth-shattering about the bills we will be debating tonight; nor is there anything in these bills that is going to be helpful to those farmers who are facing bankruptcy or who are having to sell their farms before they go bankrupt.

I hope at some time during this session we will deal with some legislation indicating the direction in which this government intends to go to try to prevent further farm bankruptcies and to help the farmers when the need for help has never been greater. However, this may be digressing from this bill, An Act to amend the Agricultural Societies Act.

I am pleased the minister has seen fit to increase the maximum limit for grants to the agricultural societies from $1,500 to $2,000 per year. It was a request, as I recall, that was made by the agricultural societies. I believe they requested the limit be increased by at least $500, and the minister has been most generous in meeting that request by extending the grant by the amount of $500. However, in a period of restraint, I am sure the minister felt he had gone as far as he could possibly go. Perhaps when we see some recovery of the economy in Ontario, we may expect the minister to increase that grant even further.

Some of the changes the minister is making in these bills are necessitated by the reorganization of his ministry, something I would like to discuss further tonight but, once again, it does not fall within the confines of the legislation we are dealing with.

Mr. Breaugh: Go ahead, Jack.

Mr. Riddell: No. I am pleased the minister saw fit to reorganize his ministry. I have been saying in committee when we were considering the expenditure estimates of the Ministry of Agriculture and Food that the ministry seems to have been wandering aimlessly for some time. It

did not have any goals. We have not had an agricultural strategy of any kind, certainly not during my term in this Legislature. I believe the minister is making an honest effort to change the direction of the ministry.

As I think back to the senior civil servants who I believe were making the policy of the ministry, I think of such people as K. E. Lantz and Gordon Bennett and, prior to them, Everett Biggs and Cliff Graham. They were all graduates of the Ontario Agricultural College, all around the same vintage. In other words, it was a real OAC alumni type of organization we had in the ministry.

I feel the minister has made a proper move in bringing in what we might call some outside blood in the person of a man like Duncan Allan, who has had no agricultural background whatsoever but who learns quickly and can make rapid decisions. I am sure he can give the minister all kinds of guidance.

But I should not come down too hard on people such as Ken Lantz, Gord Bennett, Ev Biggs and Cliff Graham, because these people deserve my respect. I certainly respect them for their abilities and their many talents, but I also have to tell members that these men were trained by my father.

8:10 p.m.

It may be of some interest to you, Mr. Speaker, that my father was an agricultural representative for 42 years; he spent six of those years in Bruce county and 36 years in Middlesex county. He trained many assistant and associate ag reps who were called up to more senior levels of government, many of whom became deputy ministers. I just had to throw that in tonight, because I would like to think—

Hon. Mr. Wiseman: Did he train you?

Mr. Riddell: Yes, he did; and I will be the first to admit that I have never been able to fill his shoes. He was a far better man in every respect than I can ever hope to be.

But I am pleased the minister has seen fit to break up the OAC alumni and bring in some other kinds of expertise not necessarily associated with the University of Guelph. I would like to think it is because of my request in committee that the ministry be reorganized and because I have indicated that the ministry has been wandering aimlessly for years that the minister finally decided to—

Hon. Mr. Timbrell: If you want to believe that, you go right ahead.

Mr. Riddell: I do. I think it is a co-operative effort on our part that we have been able to bring about this change. However, there is one thing in the reorganization that I would like to disagree with the minister on, and that is that he has taken the agricultural representatives away from the 4-H club work, the junior farmer work, the soil and crop improvement work and even the federations of agriculture. Many of these ag reps served as secretaries on livestock associations and what have you. Yes, the minister has included all those organizations under the rural organization branch of the ministry, I believe it is called. He has the ag reps set over into another branch, where it seems to me their purpose now is to act in consultation with the farmers.

It was the ag reps who conceived the ideas of 4-H clubs, junior farmer organizations, crop improvement associations and breed associations. They have been very much a part of them right from their conception. They have nurtured 4-H clubs, junior farmer clubs and these other organizations, and now it would seem that under his reorganization these ag reps are not going to have a role to play.

The minister is shaking his head. I hope he might comment on it when he has a chance again on this bill.

However, I may be digressing a wee bit from the bill. I simply say that we do support the amendments to the Agricultural Societies Act.

Mr. Swart: Mr. Speaker, the first thing I would like to do this evening is to compliment the Minister of Agriculture and Food on being in the House to deal with these bills. In the past I have not found the minister to consider even minor bills, let alone major bills, worthy of his appearance in the House.

For many years when I was a critic for Municipal Affairs the minister was seldom, if ever, here to handle those matters, even though they were matters of some significance. Now my colleague the member for Oshawa (Mr. Breaugh) finds the same thing; I do not think the Minister of Municipal Affairs and Housing (Mr. Bennett) has been present for the discussion of any bill in the House—

Mr. Breaugh: He doesn't have the ability to understand it.

Mr. Swart: Yes, there is a reason: he does not understand. When I was critic for the Ministry of Consumer and Commercial Relations, it was very seldom that I found the minister in the House. Usually, his parliamentary assistant handled these things.

I must commend the minister for being here and for dealing with these bills, which some people might claim are not terribly significant bills. I guess it shows either that he has a great interest in agriculture, and I hope that is the reason, or that he is dedicated to seeking the leadership of the Conservative Party and ultimately the premiership. Whatever the reason, I am glad he is here to deal with these bills.

The bill before us, to amend the Agricultural Societies Act—the colloquial term is fall fairs boards—might not be considered to be terribly important, but it is my understanding that there are something like 225 agricultural societies in this province that hold fairs of one type or another. They are the display windows of the extremely valuable agricultural production in Ontario. Therefore, the agricultural societies have to be pretty important organizations within our society, whether one thinks of the New Liskeard area with the agricultural production of grain and hay and corn produced in high quality and abundance, or whether one thinks of the corn in the area north of Middlesex and up through Grey and Bruce, the vegetables that are grown in the Kent-Elgin-Essex area, the giant dairy herds we have in Oxford, or the area I am more familiar with in the Niagara Peninsula, the fruit area.

The fall fairs, such as the Niagara Regional Exhibition, do fill a very important place in displaying the agricultural products of this province and in making the urban community aware of the great wealth and high quality of our agricultural production.

Although it does not make any great changes, I do consider the bill we are dealing with to be a very important one. This party supports the bill because, on balance, it makes some improvements. As the member for Huron-Middlesex (Mr. Riddell) mentioned, it does not deal with the real problems facing our agricultural community, such as high interest rates, which incidentally the member for Huron-Middlesex supports. The bill does not deal with cheap imports, and it does not deal with the excessive middleman markups, which are real problems to our agricultural community.

I guess the bill does streamline the operations and the agricultural societies, although I have to say it does not deal with some of the financial problems they have either. Some of them are in real difficulty, and the one in my area is no exception. They have been caught, as have the farmers, with high interest rates. If they have built new buildings or if they expanded just before the interest rates went up, they took out loans and now find themselves in real difficulty. That is another area that is not dealt with here, but is certainly an area where some consideration should be given by the Minister of Agriculture and Food.

It was mentioned by the member for Huron-Middlesex (Mr. Riddell) that this bill makes changes to deal with the new reorganization of the Ontario Ministry of Agriculture and Food. This reorganization has put the home economics branch, the agriculture and horticultural branch, the youth extension section, agricultural manpower services, the rural development branch and perhaps some others all into one new branch, which is called the rural organizations and services branch of the Ministry of Agriculture and Food. It may well be true that this streamlines the ministry's operation and I suspect it does—

8:20 p.m.

Hon. Mr. Timbrell: On a point of order, Mr. Speaker: With respect, I think the honourable member is getting into Bill 172, unless we are going to debate them all at once, which I had not thought we were. When he is talking about streamlining, that is Bill 172.

The Deputy Speaker: I appreciate the minister's bringing forward the point of order. I know the Speaker allowed great latitude during discussion of Bill 179. But, now that we are into second readings of more or less routine business, I wonder whether all members could try to restrict themselves to the particular bill at hand.

Mr. Swart: Mr. Speaker, I am surprised the minister would rise on that point of order. Surely that is in sections 1, 2 and 3 of Bill 163, which we have before us. The minister should read the explanatory notes and he would find this bill makes changes to deal with that matter. I see he is nodding his head and I am glad he is willing to correct that mistake he made in calling me to order.

Hon. Mr. Timbrell: That's one you owe me.

Mr. Swart: As I say, that is included here. There probably is merit in this organizationally, but I do have to point out on behalf of at least some of the agricultural societies that they do have some concern about that reorganization. When they are thrown in with a great many other branches and services, they have some understandable apprehension about losing the status they had before. There were separate branches for the agricultural and horticultural societies, and they no longer exist. I hope when

the minister gets up, he will be able to assure us that there will no lessening of the status of the agricultural societies, that they really will not be submerged in a larger organization and that they will receive at least as much consideration and service as they did in previous times.

I am not objecting to that section. Certainly as far as being strictly technical is concerned, it has to be changed to conform with what exists already in the ministry. The minister does not need to come before this House to reorganize his ministry, but if he does reorganize it, then the acts must conform with that reorganization, and this is the only chance we have to refer to that matter.

I am aware that the second change made in this bill provides that the agricultural societies shall submit within 90 days of their annual meeting their annual financial statement to the director of this branch. That makes sense. I believe they previously had to provide it by March 1. It did not matter when they had their annual meeting, the statement had to be provided by March 1. I think this makes a great deal of sense.

Also, agricultural societies now must provide the names of their directors and officers within that 90 days.

Another change that has been made for which I commend the minister—at least it is mildly beneficial—is that agricultural societies no longer will have to get approval ahead of time for displays, programs or competitions they may have. Under the old act they had to get such permission. Obviously, it makes a lot of bookwork inspection unnecessary. Such a degree of paternalism towards agricultural societies was not warranted and the change is desirable.

Another desirable change is that all agricultural societies will be incorporated under this act and will not have to be incorporated under the Ministry of Consumer and Commercial Relations. This must have provided 225 agricultural societies, or perhaps even more than that, with a great deal of bookkeeping, a great deal of work for the societies themselves and for the ministry, which really performed no useful function. This is a better way of bringing it about.

It has been mentioned that the maximum grant on expenditures for agricultural purposes has been increased from $1,500 to $2,000. That is not a terribly large increase, but with the other needs of agriculture which are not being met at the present time, as a result of which—I know we are not talking about the same amounts of money—there are an increasing number of bankruptcies, it would be rather difficult to argue for a much greater increase at present.

This bill provides for some other minor amendments which, in a small way, do improve the service of administering the agricultural societies in this province. With those comments, I will conclude by saying we will be supporting this bill. We will not be moving any amendments to it, but perhaps in his final remarks the minister would like to make some comments about the reorganization in his ministry and what the grouping of all these together in a much larger branch within his ministry might mean.

Mr. McGuigan: Mr. Speaker, I am pleased to rise and speak in support of Bill 163. The previous speaker has covered most of the clause-by-clause items that are of interest. I can say without any hesitation that I would not have any problem at all in calling for a larger increase than $500 in the amount that is awarded for prizes.

When one thinks of the tremendous amount of volunteer work that goes into these fairs and the promotion they give to agriculture, the exposure and the community spirit that arises as a result of these activities, and when one considers the pitifully small portion of the provincial budget that goes into our agriculture ministry as a whole—something in the order of one per cent—I have no hesitation in saying it hardly keeps up with inflation over the last number of years.

One of the agricultural societies in my riding, in the hamlet of Merlin, which is largely a cash crop rather than a livestock producing area, has gone out of business in the last two years. I do not have any answers myself, but it does appear that in the cash crop areas, once the livestock go out of the fair a lot of the life goes out of the fair.

We should all be scratching our heads trying to come up with some alternative programs that might be carried on by agricultural societies in those areas which are largely cash cropping, and that includes quite a bit of the southwestern part of Ontario, particularly in the counties of Essex and Kent. It is not true in Elgin. The livestock area in Elgin seems to be doing well. I would say the agricultural societies in Elgin that I have been visiting over the last five years are making progress and probably going ahead, if anything.

8:30 p.m.

I do not want to be hard on the minister in his first presentation to the Legislature, but I really

feel in these times of economic distress that we are having, as was brought out by all of the arguments and debate on Bill 179, that the minister has brought forth a mouse at a time when we really need an elephant.

Hon. Mr. Norton: How is the member going to pay for his elephant? On a credit card?

Mr. McGuigan: My credit card is quite all right.

One of the problems we have today in agriculture is the nonpayment of producers. It is getting to be very serious. The producers deliver their produce and they are not paid for it.

We have two phoney acts in Ontario, one being the Grain Elevator Storage Act, which offers very little protection to the producer. It puts the operator of the grain elevator in jail if he contravenes the act, but there is no money for the producer. I understand the minister has something in mind to strengthen that act and I would have thought that in these trying times he would have brought that forth as one of his priorities.

The Farm Products Payments Act is another example of an act that is on the books and yet has not been activated. The minister has always hidden behind the fact that the producers could not agree whether or not they wanted it brought into effect. There was a division of opinion. But as soon as we had a bankruptcy there was no problem about having agreement among the producers. We did not have a referendum. We did not have a big debate about it. We had the thing brought in to cover livestock.

The Deputy Speaker: And the Agricultural Societies Amendment Act?

Mr. McGuigan: Mr. Speaker, with all due respect, I think it does cover agriculture because all of these items are shown at these fairs. The people who are interested in the act are interested in all of these items.

So we have all the other agricultural items that are not covered by a payment scheme. Over the years I have been dealing in the fresh fruit and vegetable industry it has pretty well been the accepted thing that one pays for the product within 10 days. The reason is the two rating services in the United States which rate people in the business. If one wants to get a four-star rating, one pays within 10 days.

Up until the last two years most of my big accounts paid within 10 days. I now find it is running 30 to 40 days. When we complain to the people to whom we sell our product they say, "Our policy has not changed; we are still working on 10 days." Nevertheless, my cheques come 30 to 40 days late. Perhaps the delay is in the mail, I do not know. But I am pointing out that we do not have protection in this area. In the United States they have the Perishable Agricultural Commodities Act which covers this. I would commend that to the minister.

We have the problems of soil erosion and the minister knows of the serious problem in the Rondeau watershed area in my riding.

We have the problem of a lack of a food council. I remember a number of years ago we had a food council which was a liaison group between producers and marketers. As an example, just a week ago this past Monday, producers in my area who pack fresh peppers for the Toronto market this summer collectively packed about 40,000 bushels of peppers which came in from Cedar Springs Cherry Growers' Co-operative Ltd. Incidentally, it is located in Blenheim but goes under the name of Cedar Springs.

They shipped 40,000 bushels of peppers to the Toronto market and to the trade at an average price of about $6 a bushel. A notice came 10 days ago that they no longer wanted Ontario peppers, although we have a fair supply of them on hand. If we look at quotations in the paper we see that while the price in Ontario is $6, there are none; and the price in New Jersey is $12.

I realize this has happened because the retailers are not willing to take any chances of a frost in southern Ontario and the supply being cut off, and New Jersey is only two days away. It seems to me if we still had a food council, some of those things could be ironed out. Some liaison work could be carried out there. The minister would be doing a lot of good in his quest to replace a lot of fruits imported from many parts of the world, notably from the United States.

I have strayed enough, Mr. Speaker, and you have been very kind. I just want to mention these items to forcibly bring to the minister's attention that we have a lot of serious problems. I would hope he would address some of those problems very quickly.

We are very happy to support this bill.

Hon. Mr. Timbrell: Mr. Speaker, I am pleased to respond briefly to some of the points raised by honourable members opposite. First, let me reply to the member for Huron-Middlesex (Mr. Riddell) and the member for Welland-Thorold (Mr. Swart) with respect to the reorganization.

It certainly has been, is and will be the intent of the reorganization to strengthen the rural organizations branch. By placing together under

one executive director, Mr. Knox, all of the activities which previously were carried out in separate branches to do with junior farmers, women's institutes, 4-H club activities and so forth, the intention is to strengthen our services to rural Ontario.

I can give one small example which is typical of the kind of thing we are looking to do in the future, and that would be the announcement I made on the press day for the ploughing match at Lucan, in the constituency of the member for Huron-Middlesex, that we are expanding the 4-H clubs to include clubs in financial management for the senior 4-H club members, which we are backing up, starting in 1983, with five annual scholarships to encourage our young people to continue their education in business management and agriculture.

This is just one example. Another, as I see it, would be the assignment I have given to Miss Molly McGhee, the former head of the home economics branch, to carry out a review of all of our services and programs as they relate to rural women. We recognize that the situation and the needs of rural women have changed dramatically in this last generation and, therefore, the ministry must make sure these programs are adapted and suitable to those changing requirements, again under this rural divisions branch.

Those are just two examples, but two that have come fairly quickly off the mark since the reorganization, of the kinds of things we want to do to extend the breadth of services available to all rural organizations and to all people in rural Ontario.

Second, I want to assure the member for Huron-Middlesex that we are not taking the ag reps out of these areas. I would anticipate in the future that the ag reps, the associate ag reps, the assistant ag reps, the engineers, the economists and all the people in our county and district offices, will be just as involved, or more so, in the future as in the past with all of these organizations.

I give as an example the meeting I had with the executive of the Ontario Ploughmen's Association, also on press day at Lucan. They were concerned. I am aware that there are a number of people who have various and varied concerns about their organizations because with change comes uncertainty. It is going to take time for us to deal with each of those expressions of concern and uncertainty to try to assuage them.

They were concerned that in future our ag reps or officials of the county and district offices would no longer serve as secretaries of the local committees which work five years in advance on the International Ploughing Match and Farm Machinery Show. I assured them that was not the case, that we anticipated being just as involved with them and organizations like them in the future as in the past.

8:40 p.m.

The fact that there is a separate branch now for ag reps and a separate branch for rural organizations in no way implies that they are going to work in isolation. In fact, the ag reps call on many branches, such as the plant industry branch, the animal industry branch, the finance and policy branch, whomsoever they need in the ministry to give them advice and information that they can then impart to the people they serve in the various counties and districts around the province.

Let me say to the member for Huron-Middlesex and the member for Kent-Elgin (Mr. McGuigan) it is obvious that the bills I have put before the House tonight for second and third reading are not earth-shattering. They are not going to solve the current problems of agriculture, and I did not pretend when I introduced them that they would. I do submit, though, that some of the things I have done since becoming Minister of Agriculture and Food have been aimed at trying to resolve some of those problems. I particularly draw attention to the efforts on my part and the staff of my ministry to develop a better national stabilization program.

I repeat again what I have said on so many occasions, that anything members can do—I am looking particularly at the party opposite—to convince the federal Minister of Agriculture that he should answer the call of the provinces and the producer organizations for such a program, or at least answer the call to examine how such a program could be put together, would be very beneficial to the farmers of this province.

I realize this is straying, but in the spirit of the co-operative arrangement tonight, let me say there is going to be a meeting on November 4 and 5 in Regina, which I have had a fairly significant role in calling, with the co-operation of the Honourable Mr. Berntson, the Minister of Agriculture of Saskatchewan, to which all provincial ministers are being invited, as are representatives of the three main national producer organizations: the Canadian Federation of Agriculture, the Canadian Cattlemen's Association and the Canadian Pork Council.

I have invited representatives of the Ontario Federation of Agriculture, the Ontario Pork

Producers' Marketing Board, the Ontario Cattlemen's Association and the Christian Farmers Association to go with me to Regina. It is our intention to forge a consensus about the need for a better national tripartite stabilization program and then to go to Ottawa to seek some answers.

I have written Mr. Whelan to this effect to put him on notice of what we are doing; so I am holding nothing back from him. I am certainly aware of what the member for Kent-Elgin says, which is that there are bigger issues that need attention, and I am trying to deal with those. I think this one issue is critical. Anything we can do between us to assist the farmers in the province would be very beneficial.

As a small aside, the member for Welland-Thorold chides me a bit for the size of the increase. I am sure if we were increasing a fee or a charge by 33 1/3 per cent he would be castigating me and the government for such an increase. Here we are increasing the size of the maximum annual grant from $1,500 to $2,000 which, as the member for Huron-Middlesex pointed out, was the figure requested by the society. That is a one-third increase, and to increase the budget by $100,000 at a time of fiscal restraint is significant.

Mr. Swart: Mr. Speaker, on a point of order: The minister once again has his facts a little mixed up. I said it was difficult for me to promote a greater increase than that. Comments were made more forcefully by some of the other members, but I did not chide him particularly on that point.

The Acting Speaker (Mr. Robinson): I do not accept that as a point of order. I will accept it as a point of privilege to correct the record though.

Hon. Mr. Timbrell: Anyway, I am sure if I were proposing to increase a fee or a charge to somebody by that amount he would be on his feet complaining.

There were a number of additional points raised by the member for Kent-Elgin. Yes, we are working on amendments to the Grain Elevator Storage Act, which I would hope to introduce this fall.

Second, with regard to the Farm Products Payments Act, it is a voluntary program. I think the member knows the story of the development of the beef cattle protection program. When I met with staff shortly after I became minister, and with one gentleman in particular who is sitting under the gallery tonight, I was told when we came to discuss the question of the need for financial protection in the beef industry, "Mr. Minister, you are not going to solve this one." When I asked him why, he said: "The last three ministers have tried. The last three deputy ministers have tried. There is no consensus." I think the member knows that was true.

When I met with the Ontario Cattlemen's Association and representatives of the other parts of the beef industry, there was no consensus at all. In fact, about mid-April I met with the executive of the cattlemen's association. I went around the table and said: "I want to know where each and every one of you stands on this proposal. Should it be a compulsory program? Should it cover everybody or should it be voluntary and have only partial coverage?" I forget how many men were sitting there. I will say eight or 10. I heard eight or 10 different positions. There was no consensus.

I did not mean to be a bit of a seer but I said at the end of the meeting: "The day will come when there will be a bankruptcy of a major cattle dealer. It will be somebody you have known all your lives. It will be the last person in the world you would ever expect to go bankrupt and to have a serious negative effect on producers. Then we will be back here."

Two weeks to the day later there was a bankruptcy in the member's part of the province. As soon as I heard of it, I called in that executive that afternoon and said: "The talking is over. There will now be a program." Three weeks to the day after that I announced a beef cattle protection program which took effect on September 1.

I am sure the member knows—I know his colleague the member for Huron-Middlesex knows—even to this day there are still some who do not think there should be a program or who do not agree with the way it is done. The fact is the problem is serious enough I felt we had to take it out of the discussion stage in which it had been for five or six years and act.

On the matter of soil erosion, I certainly agree with the member. We discussed that briefly at the Pioneer seed plant near Chatham about five or six weeks ago. As I told the member that day, we are reviewing our small capital grants program to see if we cannot, quite frankly, drop some that do not have a great impact on rural Ontario and redirect the money to priority areas, including soil erosion and conservation.

With that I conclude my response and hope the bill will pass quickly.

Motion agreed to.

Ordered for third reading.

HORTICULTURAL SOCIETIES AMENDMENT ACT

Hon. Mr. Timbrell moved second reading of Bill 164, An Act to amend the Horticultural Societies Act.

Hon. Mr. Timbrell: Mr. Speaker, I would now like to propose second reading of the bill to amend the Horticultural Societies Act. The amendments will permit the formation of new horticultural societies and also incorporate all societies in existence.

Under present law, the only municipalities permitted to have more than one horticultural society are those with more than 100,000 people. This restriction was imposed when local boundaries were much different than they are today. Many smaller municipalities have been grouped into larger units with the result that a number of communities have been prevented from having their own societies.

The amendment I propose, which has been requested by the Ontario Horticultural Association, will permit local municipalities of 25,000 people or more to have two societies with an allowance of one additional society for each additional 25,000 in population. The 250 horticultural societies have a combined membership of 60,000. They do a great service to their communities. They are involved in landscaping beautification and other horticultural projects. We assist them with annual grants totalling about $200,000.

The second major amendment I am proposing will incorporate all the societies and offer protection from personal liability for the individual members of these nonprofit community service organizations for activities which they perform under this legislation in order that such community organizations may continue to thrive. I am pleased to move second reading.

8:50 p.m.

Mr. Riddell: Mr. Speaker, unlike the member for Welland-Thorold (Mr. Swart), I am not going to go through these bills clause by clause because I do not think one can enter into a lengthy debate on motherhood, and unlike that member I am not one to send copies of Hansard back to my riding. I do not feel I have to do that.

We are going to support this bill. There is nothing contentious whatsoever. We are pleased the minister has met the request of the horticultural societies to permit the establishment of more societies in populations of less than 100,000. I am pleased these societies will be incorporated so they will not be held personally liable for any actions they may take, as long as they are not taking wilful actions which would bring about a lawsuit.

Many times, a person serving in these societies can bring about a libel suit on something of which he is innocent, or thinks he is innocent, and the first thing he knows he is in trouble. It is hard to believe we have not had more problems in the past in this connection. To avoid those problems, I am pleased to see the amendments do include the incorporation of these societies so the members will have some protection from lawsuits.

I want to compliment the minister on being able to make decisions. He was talking about making a decision on the beef cattle protection plan. He is quite right. The three ministers prior to him grappled with this problem and, because they were not sure how popular it would be to force a program of this nature, they chose to set it on the back burner. I compliment him for bringing it off the burner and making a decision because I know he did not get consensus on the part of all the people connected with the beef cattle industry.

He still does not have agreement from such organizations as the Toronto Livestock Exchange as he well knows. It feels it had an excellent working program which it considered to be a preventive program whereas the minister's is a reactionary program. But as he says, not all livestock producers ship their cattle to the Toronto stockyards; therefore, the program the Toronto Livestock Exchange was operating did not cover the farmers who sent their cattle through dealers or directly to packing plants, or wherever they chose to send them. I am personally pleased he made a decision in that regard.

The member for Welland-Thorold is certainly the last one to stand up and challenge the minister about getting his facts mixed up. Once again, he tried to imply today that I suggested in my speech that interest rates should be raised. In my speech, I talked about the number one issue facing this country: controlling inflation. I said when governments endeavour to control inflation, one of the first things they do is they restrict the money. When one goes to that kind of anti-inflationary monetary policy, when banks are forever lending money and see the money dropping in value day after day, they have to protect themselves somehow, which means higher interest rates.

What I am saying is higher interest rates are a result of an anti-inflationary monetary policy. I do not care how the member for Welland-

Thorold wants to read it. If he wants to go into the country with me and debate this on the platform with one of the farmers, I would be more than happy to accommodate him. I sincerely hope if the member is a church-going person he will take some time when he goes to church to reflect on some of the things he says during the week because he is twisting the facts.

The Acting Speaker (Mr. Robinson): Order. Please address your comments to the bill.

Mr. Riddell: I am pleased that the minister clarified the facts in connection with the role that ag reps will now be playing, because the ag reps were somewhat concerned that they were no longer going to be involved in the junior programs in the county, 4-H, junior farmer, soil and crop improvement associations, livestock associations and what have you. They were wondering what their role was going to be, and I am glad the minister has indicated they will be just as involved in these kinds of services as they have been in the past.

In connection with the minister's efforts to encourage the federal Minister of Agriculture to co-operate in a tripartite stabilization program, I am certainly prepared to co-operate in every way I can because I agree with the program. I think one of the reasons he is receiving flak from the federal minister is that he introduced a program similar to this to the provinces, I believe it was four years ago, but he could not get the co-operation of the provinces, including Ontario.

He indicated to me that he did not get a response from Ontario. The minister is going to say: "Why go back in history? Why do we not move ahead?" I agree; I think we should move ahead. But he was turned down on a similar program, and now maybe he has his back up a wee bit—that along with the fact that he is a very strong proponent, as the minister well knows, of marketing boards. I believe the federal minister would love to see a marketing board established for the beef and pork industries, but he is not getting the co-operation of a majority of the livestock producers; and studies that have been done have indicated that the livestock producers would like to try the tripartite stabilization program the minister refers to.

The minister talks about going to Regina and bringing in members of the industry to such a meeting. I always fail to understand the reason that the Agriculture and Food critics of the opposition parties are not involved in some of these discussions. The minister knows we are all elected members of this Legislature. We are all part of the Ontario government. We are all trying to do what is in the best interests of Ontarians. Let me remind him that practically every country has some form of government, but it is only a democracy that has opposition members. The point I am trying to make is that an opposition is very important in the democratic process with which we are blessed in this province and in this country. Therefore, I fail to see the reason that the agriculture critics are not taken into the minister's confidence and allowed to participate in some of these meetings.

How does the minister know that I or the member for Kent-Elgin (Mr. McGuigan) or the member for Welland-Thorold could not go to Regina or Ottawa when he talks to Mr. Whelan to convince the federal minister that we should be embarking on a tripartite national stabilization program? We might be a lot of help to him; we certainly would not be a hindrance to him. I believe it is time that the opposition members got involved in the process instead of the minister believing that we are on this side of the House simply to stand up and criticize him or any of the ministers for the various programs they introduce in the Legislature.

So I just toss that out for any consideration the minister feels it is worth. I would be more than pleased to accompany him to Ottawa in order to sit down and talk to the federal Minister of Agriculture so that we can get some kind of program in effect that will give the farmers, not only in this province but in Canada, some protection from the very things that we see taking place today.

Once again, I digressed a wee bit. We are supporting Bill 164.

9 p.m.

Mr. Swart: Mr. Speaker, I rise to voice the support of this party for the bill we have before us. These amendments to the present Horticultural Societies Act are needed, and for that reason we are supporting it.

I regret that the member for Huron-Middlesex (Mr. Riddell) feels threatened when we in this party discuss a bill fully or stick to the bill or, for that matter, when he has his own statements thrown back at him, statements in which he defended the high interest rates which apply to farmers as well as other segments of our society. That is all on record. He did exactly that. It is something with which this party wholeheartedly disagrees. The government should have intervened long ago to hold interest rates down to at least the rate of inflation.

There is room for differences of opinion and

if the member for Huron-Middlesex feels high interest rates are beneficial to society, it is his right to express that distorted view.

Once again we have changes made in the bill because of the reorganization of the ministry. I accept what the minister has said to this point about the services not being lessened. Certainly these organizations consider this will be a trial, at least for a period of time. That is fair. All of them are concerned that they may not receive the same service as they did before. I suppose any change is subject to that kind of interpretation. We will wait and see.

The main provision of the bill, to permit one horticultural society to exist for each 25,000 population in a municipality, is a belated amendment. During the wild days of the formation of regional government, we had numbers of communities incorporated into one municipality. I think I am right in saying that to this point, the ministry has never attempted to prevent the functioning of horticultural societies which existed at that time, whether there were two or three or four communities which may have been incorporated and thus two or three or four horticultural societies within one municipality. We appreciate that.

It seems wise to bring the law in line with what is actually taking place and because of the formation of regional government in the larger municipalities there is real need for this change to be made. I also think it is a good move to provide for annual meetings to be held in any one of three months—November, December and January I believe—rather than being confined to the month of January, as was the situation under the old bill.

I have looked into this a bit, but I am not aware of any legal action being taken against members of horticultural societies for liability. Nevertheless, it is wise to have them all now as bodies corporate and, therefore, prevent these hardworking community-minded groups from being subject to court action because of some liability.

On all counts, we support Bill 164.

Mr. McGuigan: Mr. Speaker, I rise to support Bill 164. I want to point out to the minister the tremendous opportunities I feel we have here in Ontario in this particular aspect of the horticultural industry. The greenhouse industry is not mentioned in this bill, but much of the work of horticultural societies depends upon the products of that industry. Just think for a minute. We should have the same habit in Ontario as they do in European societies of taking home a bouquet of flowers or using a bouquet of flowers as decoration in the house. The Dutch people particularly, but Europeans generally have the very fine habit of displaying flowers in the house. It is an industry that needs support in Ontario.

At the present time, we have a little relief through lower costs of energy, but if one reads and believes the people who are talking about the long-term problems we face with our energy supplies, we are due to have much higher costs in the not too distant future. There are a great many things that can be done by way of research and development to lower costs for people who operate greenhouses. I think members already know some of the results of those experiments. The Agripark in Huron has started on the development to provide steam for greenhouses. I believe it is true—correct me if I am wrong—that to date unfortunately we have not seen any of the people who traditionally run greenhouses in southwestern Ontario move to that area.

It is quite understandable that people who have operated a business in a particular area where they have their roots are very hesitant to move. Yet, in the long term, I think the future of that industry probably lies in capturing waste heat at that source or other sources. I realize today is not perhaps the best time to talk about such things, but I submit we should be thinking of some program of assistance to help people, especially young people, move out of the traditional greenhouse area and get in on that free heat at the Huron park. I just lay those things out to the minister.

A lot of opportunities lie in an area that is also labour intensive, as we move into the system of robotics and so on, and face the problem of fewer people having jobs in manufacturing. Here is one area that is labour intensive and is not likely to change a great deal. It requires the loving tender care of skilled workers to do this work and there are some great opportunities.

Motion agreed to.

Ordered for third reading.

MINISTRY OF AGRICULTURE AND FOOD AMENDMENT ACT

Hon. Mr. Timbrell moved second reading of Bill 172, An Act to amend the Ministry of Agriculture and Food Act.

Hon. Mr. Timbrell: Mr. Speaker, I wish to propose this bill to amend the Ministry of Agriculture and Food Act. In essence, it would authorize the minister to delegate his or her

powers and to extend legal immunity to officials, employees and branches of the ministry. This would bring our act in the Ministry of Agriculture and Food into line with similar acts of other ministries, certainly those with which I have been involved over most of the last nine years.

As it now stands, every contract entered into by any branch of the ministry must be personally signed by the minister. By permitting the minister to delegate his powers to the deputy minister or other ministry employees, much of the detailed work in handling routine contracts will be shifted to other levels of the ministry.

The other section of the bill will exempt from civil liability the deputy minister or any ministry employee and any member, officer or employee of the Agricultural Licensing and Registration Review Board and the Farm Products Appeal Tribunal for any act done or omission made in good faith in the execution of that person's duty.

9:10 p.m.

Mr. Riddell: Mr. Speaker, once again we find nothing contentious in this bill. Many of the points we have already dealt with in the two previous bills, that is, exempting members of the ministry and, in this case, members of the appeal tribunal from any personal liability; so I do not think we need to elaborate any further on that.

I agree that the minister should not be wasting his time when he has more important things to do, particularly at this time in our history when we are going through a recession such as most of us have never encountered. I was born at the time of the last Depression, and now we are going through a very serious recession when our business people are in trouble and our farmers certainly are in trouble.

I read just yesterday that there has been a 45 per cent increase in farm bankruptcies this year—

Mr. Swart: Sixty-five.

Mr. Riddell: Sixty-five—compared to the same time last year.

Mr. Martel: Is that the Ontario figure?

Mr. Riddell: No, all Canada. But I think we have seen only the tip of the iceberg. The farmers are looking at some of the worst prices they have had in years: corn at $2 a bushel, soybeans at $5 a bushel. We are told we will be lucky if we get $15 a hundredweight for our white beans. There just does not seem to be any product, except those that are produced under a marketing board with price-setting powers, that even comes close to the cost of production for these products.

Hon. Mr. Timbrell: Pork.

Mr. Riddell: Yes, pork is a good price right now; the minister is right. Beef has been relatively good, although it has taken a bit of a drop recently. But the cash crop farmers are now going to start to fill our galleries in the same manner as the livestock producers did a year ago.

When the farmer takes the price for his product this fall and goes to the bank next spring to get an operational loan and the bank manager asks to see his financial statement, his cash flow and all the rest of it, and when he sees what the farmer has done in the last year or even the last two or three years, he is simply going to say to the farmer, "I am sorry, but I cannot give you an operational loan" or "I cannot extend your loan." These farmers are going to be in trouble unless this minister comes in with some kind of program, whether to extend the farm adjustment assistance program, to enrich it or to come in with something different.

I know he is relying on a tripartite national stabilization program, which will help, I agree; but we have to do something at the provincial level and we have to do something at the federal level or we are going to see farmers go down the tube faster than we have ever seen happen before.

Once again, I am digressing from the bill, but I want to tell the minister my concerns about the farming industry. I do think the minister has more important things to do than to sign his name to every little contract the ministry enters into. I think it is a move in the right direction to relieve him of this responsibility in the hope that he will lay his emphasis on the problem we have today in the farming industry.

I appeal to the minister to bring in some kind of program or to let us know before this session ends what he intends to do to keep the farmers in business.

Mr. Swart: Mr. Speaker, we will be supporting Bill 172 as well. As has already been mentioned, there are really just two sections to this bill.

One part of the bill is to delegate the authority of the minister to deputies or others of the senior staff for signing contracts, etc. As has already been stated, I think there will be agreement that this is a wise procedure. The Minister of Agriculture and Food has more to do with his time than to sign documents. In addition to that, there are ministerial responsibilities. If there are

mistakes made, he is still responsible whether or not he signs the documents.

The proposed change does not relieve the minister of any responsibility, but it relieves him of some work. Certainly senior officials in his ministry would be selected who would not make foolish mistakes in signing documents. Therefore, I see no disadvantages, only an advantage to that.

I have some reservations and perhaps some questions about the second part of this bill. My reservations are really not that individuals in the ministry should be exempt from liability. I think that is reasonable. They are hired to do a job and, if they make mistakes in the line of duty, as individuals they should not be liable unless they are made in bad faith. But the ministry itself should be liable.

I am a little concerned about the liability of the ministry. It may be because of my ignorance of the legislation in this province. It seems to me here, as with the federal government, that it is very difficult to prove that the government is liable and that individuals almost never win suits, even if the government is liable, unless they can prove bad faith against the government. It does not matter whether it is a Re-Mor issue, where there was admitted negligence on the part of the staff; the Premier (Mr. Davis) would not accept liability, because the act exempts them unless bad faith can be proven.

It is my understanding, if I remember correctly, that there is general legislation in this province, as there is at the federal level, which basically exempts governments from liability unless there is bad faith. When it says, as it does, in the compendium of background information, that the liability of the crown for any act of its officers and employees is specifically preserved, I wonder why the minister did not go forward and settle for the loss that was due to incorrect information given with regard to spraying. I think I am correct in saying there was substantial loss in that regard, but the government absolved itself from any liability. This is the pattern generally.

When the minister gets back up, I would like him to make some comment about the exact liability that he thinks his ministry and the servants of his ministry have. To me, the situation I have just mentioned was a clear case where faulty information was given. In the private sector, we know very well that if we buy a product and that product causes damage—it does not matter whether it is Thalidomide or whether it is tea kettles that are soldered instead of welded—the companies are liable. Why should the government not be liable when it gives faulty information for all the costs of very excessive damage to farm crops or in any other area of government operations?

9:20 p.m.

We are talking about the Ministry of Agriculture and Food Act, which is a pretty broad title. I have to agree that many of the farmers are facing disaster this fall. Today I had some consultation with the Ontario co-ordinator of the National Farmers Union. She said the true picture in Ontario at present is that the bankruptcies among farmers, those who are legally bankrupt and those who have gone out of business but have not filed bankruptcy, number about 550.

It is also true that the number of cash crop farmers who have gone into legal bankruptcy this year is four times what it was last year. They are really the ones who are being hurt. The official figures are something like 11 last year and 42 this year. The minister may say this is not a large number, but it is almost a fourfold increase. When the cash crop is sold this fall and the returns are not adequate to meet the liabilities, there is going to be an epidemic of bankruptcies.

That epidemic is due to the Liberal policy of high interest rates. There is no question about that. Two or three years of those high interest rates have forced farmers into the position they are in today. It is the greatest single factor. When I hear anybody defending high interest rates, I am quite sure they do not have at heart the interests of the farmers, the home owners or the poor businessmen.

I too have deviated somewhat in my comments on this bill, but in our present situation no one can talk about any dimension of agriculture without bringing into the discussion the serious situation in which the farmers, the basic producers in this province, find themselves. It is a situation that is going to get much worse in the short period ahead. Regardless of the fact that interest rates are now coming down, a lot of the damage has been done.

Back to the bill: Subject to the explanation of the minister with regard to the exemptions of liability for the ministry—not for the individuals; we have no argument with that—we will be supporting the bill.

Hon. Mr. Timbrell: Mr. Speaker, as both members opposite have pointed out that there have been numbers of bankruptcies in agricul-

ture this year, I guess we have started the estimates of the ministry about six weeks early.

Mr. Riddell: Just to give the minister some idea of what he should be prepared for.

Hon. Mr. Timbrell: Okay. They are up this year. I do not take a lot of comfort from the fact that they are not up anywhere near as much as they are in the rest of the country, as the member for Huron-Middlesex points out.

Mr. Swart: They are still the highest in Ontario.

Hon. Mr. Timbrell: I just got through saying I do not take any great comfort from it. I want to point out to the honourable member that in Ontario we produce more than 50 per cent of the agricultural output of this country. We have more than 80,000 farms in this province. While I think at this point last year Ontario had registered 60 per cent, and maybe even close to two thirds, of the bankruptcies in agriculture in Canada, this year it is around 40 per cent. It is still too high. I recognize that. Any time a good farming operation goes out of operation, that in itself is a tragedy.

The intention of the ministry in formulating the farm adjustment assistance program was to stand behind farmers and farms that could remain or be viable with some assistance. To date, we have approved assistance to more than 2,800 individual farmers in the province. In most cases this involves granting rebates of up to five percentage points on their outstanding operating debt, and in fact we have approved rebates on outstanding operating debt well in excess of $500 million in 1982. So this is very tangible assistance to a number of farmers.

As a matter of fact, I have discussed this with a number of groups around the province, most recently yesterday with the Ontario Federation of Agriculture. I had the president and a number of the directors of the federation in to see me. We had a very good discussion on a number of matters, and I assured them that the ministry has completed an analysis of the program in 1982 and is preparing an assessment and proposals to go to cabinet. But we recognize in the ministry that we have to put together some proposals for 1983 inasmuch as we have not been able to get the federal government to agree to this better stabilization program and we will need a further bridge to the point when that comes into effect.

On the question of liability, there is no suggestion here or anywhere else that the ministry is trying to escape its liabilities. Certainly, if the ministry has made mistakes and we are found to be liable, the ministry will pay. In this most recent incident, to which the member for Welland-Thorold (Mr. Swart) referred, the facts do not necessarily substantiate some of the headlines. We have heard—and do not forget that the issue arose in the third week of July—from 10 farmers that I am aware of in the province who allege there was a problem on their farms as a result of some information in Publication 75.

I am advised by the head of our legal branch that we have in hand one notice of proceedings against the crown. We do not yet have an opinion from staff as to the government's liability, but I want to assure members that there is nothing in this specific example or in this legislation, or in anything I have ever said or done as a minister, for that matter, to suggest that we are trying to escape liability. Clearly, the ministry or the government, if it is found to have been negligent, will be liable and will pay accordingly.

What this does is to correct some oversights in the case of the Farm Products Appeal Tribunal and other bodies to make it clear that in matters of good faith—in other words, in matters where they are simply applying their best judgement—they are not going to be individually liable, as is the case, as members know, in legislation for virtually every other ministry, at least those with which I have been associated for almost nine years as a minister.

Motion agreed to.

Ordered for third reading.

FARM PRODUCTS CONTAINERS ACT

Hon. Mr. Timbrell moved second reading of Bill 171, An Act to revise the Farm Products Containers Act.

Hon. Mr. Timbrell: Mr. Speaker, I have several amendments to propose to the Farm Products Containers Act which cover containers used in the packing of fresh fruit and vegetables sold in Ontario in the fresh market.

The existing act established a fee of one per cent of the cost of containers used in Ontario to pack fruit and vegetables for the fresh market. This fee, which has been paid by the growers who use these containers, covers the operating costs of the Ontario Fruit and Vegetable Growers' Association. The association exists for the benefit of the province's fruit and vegetable producers and acts as a voice for their industry.

It is this association that has asked the government to amend this act.

The Ontario Fruit and Vegetable Growers' Association was established in 1859 and represents about 12,000 commercial fruit and vegetable growers in Ontario. In recent years it has experienced some financial difficulties. The one per cent fee has been collected by the manufacturer of the container and then turned over to the association but, unfortunately, in too many cases the fee is never collected.

The major amendment I am therefore proposing to the act gives the duty of collecting the one per cent fee to the sellers, who are all in Ontario, rather than to the manufacturers, some of whom are outside the province.

9:30 p.m.

Once a year the association asks all the container companies it has on record whether the fees have been collected on behalf of the association. This is done by letter. Major container companies usually comply with this request but some companies do not. Since the association's financial demands are increasing and since it derives most of its income from container tolls, it is clear that if all manufacturers did not comply with the Farm Products Containers Act and regulations, the association would suffer. That is exactly what is happening.

The annual container fees collected are about $170,000, or 85 per cent of the association's annual budget of $200,000. The association feels it should be collecting about $300,000 a year for container fees and, since it tailors its activities to the present level of income, necessary activities must be curtailed because of this lack of revenue.

There are several problems with the present procedure of collecting the one per cent container fee.

First, manufacturers who are charging the one per cent complain that some of their competitors are not doing so, which places them at a competitive disadvantage.

Second, it appears that with some companies the one per cent is included in the price and is not shown on the invoice; so there is no way of knowing that these moneys are being collected and remitted.

Third, companies are inconsistent in applying the one per cent, showing it on some invoices but not on others.

Fourth, some companies say the amount of the fees is not sufficient to remit immediately so they wait a few months and then problems arise owing to clerical errors or amounts overlooked.

The association's financial difficulty has not developed overnight. In 1978, in fact, a review committee was set up to see how the association might place itself on a firmer financial basis.

Consideration was given to four methods: increasing container fees, increasing marketing board membership fees, collecting a levy directly from the growers in lieu of the container fees, and a direct membership fee paid by all producers.

The review committee recommended that the most practical method of financing the association was through the container fee, the marketing board membership fee and an acreage levy on the pick-your-own roadside market operators.

Because many of the container fees—which represent 85 per cent of the association's income—are not being collected, I am proposing several amendments to the act which I believe will bring the bill up to date.

In essence, the Ontario Fruit and Vegetable Growers' Association will be given more power. The duty to collect licence fees will be transferred from the manufacturer of containers to the seller of containers and the seller may be required to provide information about the sale of containers to the association. The association may be authorized to recover licence fees by a suit in a court of competent jurisdiction and may be authorized to require a seller to account for licence fees payable to the association.

The power to make regulations requiring licensing will be transferred from the minister to the Lieutenant Governor in Council. There is a point to be made here. Under the present act, the minister's order concerning the imposition and collection of licence fees is subject to approval of the Lieutenant Governor in Council, which really means it is a regulation. Under most acts, regulations are made by the Lieutenant Governor in Council; so I simply intend to bring this act into conformity with other acts and with what really amounts to the current practice.

The Lieutenant Governor in Council will be authorized also to exempt any type of container from the regulation. The regulation under the act already exempts harvest and storage containers as well as incidental packaging materials such as—what does one call them?—the cups that go into the packaging of peaches.

Finally, the maximum fine for the first offence under the act or regulations will be raised from

$50 to $500 and the maximum fine for subsequent offences will be raised from $200 to $5,000. Incidentally, these fines have not been increased since the act was passed in 1947.

The Ontario Fruit and Vegetable Growers' Association is a worthy organization which represents an important part, in fact, a cornerstone of Ontario's agriculture and food industry. It must remain viable and strong. I believe these amendments, which have been requested by, discussed with and supported by the association, will improve the procedures by which producer licence fees are collected and paid to the producers' association.

None of these amendments has any financial implications to the province, obviously. I respectfully submit these amendments for second reading at this time.

Mr. Riddell: Mr. Speaker, I am sure the minister will recall that I have had correspondence with him dating back to June 28 regarding amendments to the Farm Products Containers Act. My correspondence stemmed from a lengthy conversation I had with one of the former presidents of the Ontario Fruit and Vegetable Growers' Association who resides in my riding. He indicated to me the type of amendments the association would like to see the minister introduce. I indicated what its concerns were to the minister in my letter.

The one request the association made, which the minister did not honour, but I can probably understand the reason now that he has written to me about it, was for the authority to audit the books of the sellers of these containers.

Just as the minister indicated, the association felt that all the money collected was not getting into its treasury. There were ways of working the invoices and so on, and the association thought it might be able to correct that through an amendment.

The minister indicated to me in his letter that the OFVGA did seek authority to audit the records of these sellers and, while it has been decided that this degree of authority would be excessive, Bill 171 has a provision to require a seller to account for licence fees payable to the association.

The OFVGA also would be authorized to recover licence fees by suit in a court of competent jurisdiction. Also, I think the increase in the fine, to serve as a deterrent, was a good move on the minister's part.

I received a call from the former president of the OFVGA, the one with whom I had a discussion in June, over the weekend. He told me the association is quite happy with the amendments the minister has introduced in this bill. He said: "We would like the bill to go through with dispatch. Do you see any problems with it?" I said: "No, I don't. If you people feel your requests have been acknowledged, then I don't see any reason to give it lengthy debate or to send it to committee."

He asked, "What do you think the New Democratic Party is going to do?" I said, "The NDP will likely find some reason to be critical, because they will say this levy that is collected is passed on to the consumer." Of course, we have the member for Welland-Thorold (Mr. Swart) standing in his place and forever criticizing the prices consumers have to pay for a product, whether or not they reflect the prices the farmers receive at the farm gate.

I had to tell him I was not too sure what the NDP was going to do in this case, but I hoped the member for Welland-Thorold would see the urgency of having this bill passed as the OFVGA does not want any further delays in getting these amendments passed.

In connection with the liability of the ministry, particularly in connection with the chemical that was used by farmers in excess, because, as I understand it, the decimal place got in the wrong place in the recommendations in Publication 75, I would have thought the minister's response to the member for Welland-Thorold would have been that the member underestimates the intelligence of farmers. They know full well the publications that emanate from the ministry are guidelines. They also know that they do not dare use a chemical unless they read the label on the can thoroughly, including the bottom line.

I think it is an insult to the intelligence of farmers to suggest that they would simply take a look at the guidelines that are put out by the ministry, ignore the label on the can and go ahead and apply the chemical in accordance with the guidelines. These are nothing more than guidelines, and I do not know how the ministry can be held responsible for guidelines it puts out when the thing to go by is the label on the can. The farmers know full well that is what they should be doing before they ever apply a chemical.

9:40 p.m.

Before I sit down I have to get through somehow to the minds of the New Democratic Party that interest rates are one measure of

controlling inflation. If we were to allow inflation to run rampant the way the NDP would like us to do—and they cannot tell me different, because they say the government should continue to pour money in—if that were to happen we would have inflation running rampant to the point where there would be a crash that would make the crash of 1929 look rosy.

The farmers know this. The farmers tell me, "Jack, we are prepared to pay high interest rates if we can get a price for our product which would take into consideration our input costs, including high interest rates." They know inflation has to be controlled. They know the NDP are talking nonsense when they talk about letting inflation run its course. If that ever happened, we would be into a depression which would see not 500 but literally thousands of farmers go bankrupt. The farmers are smart enough to know this. I hope this will put an end to the nonsense I hear being preached by the member for Welland-Thorold about high interest rates.

Something has to stop inflation in this country. But build it into the input costs and give the prices that the farmers deserve at the farm gate, and they will contend with the high interest rates. I am surprised the member for Welland-Thorold has not got the message.

Mr. Swart: Mr. Speaker, I rise in support of this bill, the fourth one tabled by the Minister of Agriculture and Food which we have dealt with this evening.

I find it a little embarrassing to find myself so much in support of the first four bills that we are not even moving any amendments at this time. I would not, however, want to give the minister the impression that this sort of thing is going to continue. I am sure we will be crossing swords over some of the measures he will be proposing, or over his lack of measures, with regard to the serious agricultural problems that face our society.

I too have had some discussion with the members of the Ontario Fruit and Vegetable Growers' Association on this bill. I come from the Niagara Peninsula, which is the main area in Ontario where fruit, as well as other products which use containers, is produced.

I acknowledge the mental capacity and wisdom of the farm community. Unlike the member for Huron-Middlesex (Mr. Riddell), they are able to see that if there is an excessive markup by the middleman it is not only the consumer who suffers but the producer as well. If the member for Huron-Middlesex thinks the milk producers are not going to suffer because of the seven cents per litre increase in the price of milk—and it may end up even higher than that—he is out of touch with the realities of the producers in this province.

Surely anybody who is concerned about society generally wants to see the most efficient handling and processing of the farm produce between the farmer and the consumer so the farmer can maximize the amount that he gets at the lowest possible price to the consumer.

I find no conflict whatsoever in the two portfolios I have, that of Consumer Affairs critic and as critic for the Ministry of Agriculture and Food. It is a fact that frequently in the party to my right one person gets up and talks one way and another person gets up and talks another way because they sit in a different location and because they have different responsibilities.

In this party we have a more unified caucus and a more unified policy. We find there is little conflict between the interests of the consumer and the interests of agriculture. I can state categorically that I believe in the long run the marketing boards are good for the consumers of Ontario. They not only will provide for the consumer, long term, an adequate supply of food, but will provide it at an even price. If they get an adequate return, they will provide it at a cheaper price than if it is left to the ups and downs of the marketplace without any marketing boards.

I am not saying that all marketing boards, like all unions or any other organizations, are always perfect and always make the right decisions. I am saying the principle of marketing boards is sound and the consumer will benefit from well-run marketing boards in the long run.

If I may just turn it around, I would hope the member for Huron-Middlesex will come to that realization at some point while he is still the critic for the Ministry of Agriculture and Food.

The bill we have before us must be one of the briefest acts on our statute books. This bill is actually about twice as long as the previous one, which I think had only three sections. This has six. I am not sure whether that is progress or not, but that does not really matter because once again I believe this bill makes some improvements in the ability of the fruit and vegetable growers' association and the Ontario Beekeepers' Association to operate their associations to their own benefit and to the benefit of society generally.

The move in recent years on the part of the

government to have regulations promulgated by the Lieutenant Governor in Council instead of by the individual ministers is perhaps a move in the right direction. We support section 2 of this bill. It gives a greater uniformity and a wider supervision in regulations.

When I sat on the statutory instruments committee, we spent some time going over many regulations and found that some of them were somewhat contradictory. Some of them seemed to exceed the provisions of the act. To have regulations promulgated by the Lieutenant Governor in Council seems to me to be a wise move and I accept the minister's word that it conforms to what is done in most other acts.

It is obvious that the switch to the collection of licence fees for containers from the retailers is a wise move. Sometimes the retailer and the manufacturer are the same company.

I suspect when the bill was originally passed in the 1940s there were many small manufacturers. Almost all manufacturers marketed the containers they produced. It was not such a difficult thing in those days. Now, with only a few manufacturers spread across various parts of this province—and, for that matter, of this nation; some of the containers come from outside this province—it becomes very difficult to assess these licence fees against the manufacturers. So the move to assess them against the retailers is a wise move and makes them easier to collect.

9:50 p.m.

I suspect it will mean, though, and there is no doubt about it, that the fruit and vegetable growers' association will have more companies to collect from than previously, perhaps two, three or four times as many; perhaps the minister can tell us some of those figures. In spite of that it is going to be easier to collect, and there is no question that it is going to be more uniform.

I guess this is a kind of unique way of actually financing a growers' organization. It is perhaps the only one, but it seems a very commendable way of financing it. The more they grow the more they pay. It is a sort of self-governing licence fee that is assessed against the producer, and I think it will be a fairly easy way of collecting it with the amendments that are being made by this bill.

I notice something in this bill that is unusual in bills that are before the House, and that is, the explanatory notes under clause 3 are not complete. It says, "The Lieutenant Governor in Council will be authorized to exempt any type of container from the regulations." In fact, the exemption goes further than that. It can also exempt any class of producer. I would be glad to have the minister amplify what class of producers might be exempt from this and what type of container might be exempt from the licence fee.

As has already been mentioned, the minister has inserted clauses in this bill that will make it much easier for the growers' association or the honey producers' association to determine what fees were collected by the sellers of the containers and to collect those fees from them.

Finally, I concur with the increases in the proposed fines for anybody contravening the act, because I believe these fees were set perhaps 30 or more years ago and even the decrease in the value of the dollar means that by this time, in order to get the same amount, we should increase it four or five times. In addition, in this day and age, when we are more sophisticated in bookkeeping and so on, there is less excuse for any operator to err in or refrain from paying those licence fees to producers.

Once again, this party has no hesitation in supporting and expediting this bill. The member for Huron-Middlesex in his comments was just playing a little bit of politics. He knows full well that we in this party are aware of the problems facing the agricultural society and well aware of what are improvements and what are backward steps that sometimes are brought forward in legislation.

Members can be assured that when measures are brought before this House that are going to benefit our basic producers in this society, we in this party are going to be supporting them.

Mr. McGuigan: Mr. Speaker, it is with particular pride that I stand and give my support to this bill, because in 1974 I was president of the Ontario Fruit and Vegetable Growers' Association. From 1947, when this bill was first brought in, until very recently, within the last five years, I sat in on discussions at annual meetings and throughout the year on this very problem.

I am not going to be critical of this bill. If I was critical it would be in asking why former ministers did not bring in this correction some time ago. Nevertheless, the minister has brought it in and I commend him for doing so.

I would like to say a word about the Ontario Fruit and Vegetable Growers' Association. It started in 1859, before Confederation. It is the oldest agricultural organization in Canada. Its beginnings go back to the Niagara Peninsula area and it gradually grew to take in vegetable growers. There were at one time two indepen-

dent bodies, a fruit growers' association and a vegetable growers' association. In the 1940s they came together to form the Ontario Fruit and Vegetable Growers' Association.

Through those years, one of the things the association has supported and stressed has been proper grading of the commodity. One of the problems we have had in Ontario is the fact that our producers are very close to the market and it is very simple to run things from the farm into the market with very little grading. At the same time, they are competing in the overall market with products that were shipped from the United States, and those that cross the border run into Canadian Department of Agriculture regulations.

Then when they are displayed here in Ontario, they run into the Ontario Ministry of Agriculture and Food regulations, so those products were always graded to a high standard. That is an old fight and we seldom hear anybody today complaining about grading, but the grading laws we have, I want to point out, are a result of the co-operation between the Ontario fruit and vegetable growers and both the Canadian and Ontario governments.

I would like to mention that horticultural producers are among the most independent people in the world. If we look at the range of products they produce we will not find one product that is sold under a quota or supply marketing system. They have an underlying philosophy that they will compete in the market and they will let the market rule. They demand that the marketing rules, that is the system under which they trade, be fair trade.

I mentioned before that Ontario and Canada have some catching up to do with the United States in the matter of protecting the horticultural producers under the rules of trading. We have good regulations for those items that are covered by marketing boards, but we have many products that are not covered by marketing boards and are unprotected.

I commend the minister for moving the point of action to the seller. I might mention an event that took place this summer. Some time in June, about 21 producers of containers for this industry went on strike. To the best of my knowledge they are still on strike. There are no meetings scheduled until the very end of this month between the participants, and possibly these factories will not be back into production until Christmas time at the earliest.

10 p.m.

This caught not only the fresh fruit and vegetable industry but the canning industry and beverage industry at the time of the year when their demand for containers is greatest. To get by, they have had to go to the United States for many of their containers. Fortunately, business conditions in the US were such the producers there were quick to change over to our type of containers and produce the dyes and the printing to meet some of our regulations in supplying these containers.

Those containers run into a duty across the border which I think is about 17 per cent. I could be corrected on that, but they do run into duty.

Early in August I wrote to the then Minister of National Revenue, Mr. Rompkey, asking him to waive duty under these conditions, pointing out it would not cost the government of Canada any budgeted money because it normally does not receive income from that area. I had a reply from him a few days ago saying they will consider this. They do have a mechanism for refunding the duty. Application has to be made to a review group.

Of course, this is limited to agricultural producers or their agents and it does not include any container companies. If it were to include container companies, they would be coming down on the side of one of the participants in the strike. We do not have any quarrel with any industrial group coming finally to a strike situation. We deplore that it has to happen but that is part of our collective bargaining system. We certainly deplore it when third parties are hurt at a time when their demand for these products is greatest.

As a matter of information, I point out to the minister there is an avenue of relief for those people who have brought in containers. It is not an easy avenue. They have to supply a great deal of information as to how it is affecting their business, their financial records and so on. I would not want to convey the impression it is just a matter of walking up to the desk and getting a cheque, but the system is there.

One of the other things the fruit and vegetable growers have done over the years is a great deal of promotion for their industry. They have put on displays at the Canadian National Exhibition and at the Royal Winter Fair. These have been well received and have done a great deal to help their industry.

They have also on occasion gone to regional fairs such as the Western Fair and put on displays there. They are very much an independent group of people dedicated to solving their own problems. I certainly commend the minis-

ter to the thought that these people do a lot towards helping themselves. Any additional help he can give is probably the best money he can spend in that direction.

Back in 1972, the Ontario Fruit and Vegetable Growers' Association, the Canadian Horticultural Council and the Canadian Fruit Wholesalers Association embarked on a self-help program whereby moneys were donated by people in the industry, the producers. I think some money probably came from some of the container people, from wholesalers, from the retail chains and from the Canadian and Ontario governments.

That money has not been used in the advertising sense where one goes to the media, the newspapers, radio and TV, and pays to rent so much space or time, but has been spent in promotion. That is a system whereby one creates a lot of interest. They try to attract the attention of the media and, really, what they are looking for in a sense is free advertising. But it is not totally free because in order to attract attention, they have to put on a good show themselves.

This group, the Fresh for Flavour Foundation, has in the past put on a good show. They set as their aim 500 pounds of fresh produce consumption per person. They have now reached something above this and are way ahead of consumption of fresh fruits and vegetables in the United States, where it is in the area of about 340 pounds.

In the last year or so, in applying to the Ontario government for these funds, I think they have run into a great deal of oppposition, more from some of the people next to the ministers than from the ministers themselves. I think they are rather trying to protect Foodland Ontario operation.

Of course, that is a good operation and the producers of Ontario certainly support that operation. The minister knows that he is going to be faced with certain cutbacks in his advertising. He is spending about $40 million a year. Recently, about $1 million of that has been to agriculture. I want to point out to the minister that if he is cutting in the area of agriculture, he could probably maintain a level of service at about the present level by diverting some of those moneys to the Fresh for Flavour Foundation.

The government's argument always has been that it thinks there is a spillover of Fresh for Flavour to imported products because the Canadian fruit wholesalers, as part of this program, use Fresh for Flavour in some parts of the season for offshore products. There is very good co-ordination between all the elements in this picture and it even includes a US fruit and vegetable organization, the United Fruit and Vegetable Shippers. They may co-ordinate the shipping to try to coincide with our Canadian season. The government may lose the goodwill of those people, and I think to some extent we have lost some of that goodwill. Through the abolition of the food council we have lost some of that goodwill.

The minister does the industry a great disservice. This industry is small enough in numbers of people that those in the industry pretty well know one another. It is really a small number of people and they have excellent relationships. By harnessing those excellent relationships, I suggest the minister would be doing a great deal for the industry and could maintain the level of service at its present high level.

Another activity of the organization has been to fight for uniformity in legislation. By going to the Canadian Horticultural Council in Ottawa, we would soon realize that we are a part of Canada rather than one, balkanized unit here in Ontario. It is very easy to say we will stop the importation of Washington apples into Ontario, or the importation of potatoes into Ontario. As soon as we raise any such point, and it has to be done at the federal level, the British Columbia apple people will say, "We ship our McIntosh apples down to San Francisco and that is our big outlet, so do not go tampering with the importation of apples." Or the maritime potato growers will say, "We ship the bulk of our products down into the New England states, so do not go tampering with those." Through participation at the provincial and federal levels, we have a group of people who thoroughly understand the Canadian marketing theme and are very responsible in their actions.

I have great pleasure in speaking to and supporting the bill.

10:10 p.m.

Hon. Mr. Timbrell: I will not keep the members long. I just wish to react to a couple of things.

On the Fresh for Flavour issue, which again I was apprised of shortly after joining the Ministry of Agriculture and Food in February, we have that matter resolved now. I had a meeting with representatives of the Ontario Fruit and Vegetable Growers' Association and the Fresh for Flavour Foundation in April, May or June, somewhere in that period. The member is quite right. Representatives of the ministry worked

very hard for the last four to five years to develop and expand the Foodland Ontario program to the point that it is one of the best recognized programs of its kind anywhere in the country, perhaps in North America.

We were concerned that the two were being intertwined in some promotions which were not meeting the objectives of Foodland Ontario, and there were examples. I know that one of my staff—and he may have broken a law, I do not know—took an ad from a subway car because it was for citrus fruits. I believe it was for citrus fruits; I could be wrong, but I think that is what it was. It had the Fresh for Flavour Foundation logo on it and the Foodland Ontario logo. Obviously, we are not promoting citrus fruits.

The proposal I made to the group, which was subsequently accepted at the next meeting of the boards of directors of the Fresh for Flavour Foundation and Ontario Fruit and Vegetable Growers' Association was very simple. Do not forget we are talking about shared-cost promotions. When they talk about wanting to promote fresh strawberries in June, we say, "All right, we agree, and we will contribute whatever number of dollars towards that and—"

Mr. McGuigan: Salad month.

Hon. Mr. Timbrell: Yes, salad month is another one. We agree to put in so much money and the growers put in so much money.

In those cases where we are involved financially, it was agreed that the materials that will be presented to the public will have nothing on them but the Foodland Ontario symbol, so that symbol will be used throughout. But on the materials that are presented to the trade to continue the work of the maintenance and development of goods in the trade between growers and wholesalers and buyers, that material will show both the Fresh for Flavour Foundation symbol and the Foodland Ontario symbol, so that it will be evident it is a joint effort and it will only be on those things that we have agreed to participate in as a ministry. I think that issue is resolved.

Mr. McGuigan: I think it's a very fair arrangement.

Hon. Mr. Timbrell: Thank you.

As the member pointed out, there is a means of rebating to some growers extra moneys expended by them as a result of the current strike by the suppliers and manufacturers of containers, albeit a cumbersome one, and we are pleased to have that assistance and co-operation from the federal government through Revenue Canada.

The member for Welland-Thorold (Mr. Swart) raised the question of exemptions. Neither the Ontario Fruit and Vegetable Growers' Association nor the ministry are planning any further exemptions than those that already exist, which I mentioned in my opening remarks on this bill. The section of the bill only regularizes what is now in place.

Mr. McGuigan: Just on a point of information, to offer a suggestion of an item that the minister might want to have exempted. That would be containers used in interprovincial or export trade. He might want to do that because there is a constitutional problem there, I think. Also, he might want to exempt the people in, say, northern Ontario who gather blueberries and use the containers, which is a separate branch of horticulture. I just offer those as things you might want to exempt.

Motion agreed to.

Ordered for third reading.

MALVERN WASTE REMOVAL ACT

Hon. Mr. Wells moved second reading of Bill 174, An Act to provide for the Removal of Certain Waste from the Malvern Area.

Hon. Mr. Wells: Mr. Speaker, I would be happy to make a few comments on this bill. Unfortunately, I was not in the House at the time the bill was introduced. It was introduced by one of my colleagues on my behalf. It is, of course, a bill I support and that I believe all the members of this House will support, and I hope I can indicate the reasons for this.

The bill deals with a problem that is peculiar basically to McClure Crescent in the Malvern subdivision of the borough of Scarborough. To trace the history of it, back in 1940 there was a firm on Church Street in Toronto called Radium Luminous Industries Ltd. They were in the process at that time—and this, of course, was during the war—of making radium instruments for airplanes, I believe. They owned a 10-acre farm in the Malvern area in Scarborough. To that farm they transported certain waste from their factory on Church Street, and it was incinerated there at the time. They sold it to the farmer there; he incinerated it and then spread the ashes over his property, using them as a fertilizer experiment, as I understand it. That was way back in the mid-1940s.

At that time we all were wearing wristwatches that had radium numbers on them, and it was an

accepted technique for making instruments, watches and so forth, luminous. I draw that point to the attention of members because there is a controversy over the nature and hazardousness of this particular soil. It certainly is hazardous to the extent, for instance, that wearing a radium watch is hazardous; and I guess this has been proven by the fact that today you would have a very difficult time buying this kind of watch, which went out of style because it was felt that the radioactivity from such a watch would be hazardous. So while there may be an argument about the degree of hazard concerning this soil, there is no question that there is a certain low-level radioactive hazard connected with the soil.

In 1953 the area where this farm was located in Scarborough was expropriated by the Ontario and federal governments under a land banking program. That land then remained dormant for a considerable number of years. In 1973, the Ontario Housing Corp. began to develop the Malvern site and, through arrangements with private developers, to build homes and sell them to residents.

In 1975, I am informed, the Ministry of Health radiation protection branch was contacted by a photographic firm on Church Street. This firm had a problem. They were continually finding that the films they used were inexplicably exposed before they had actually been used. When they opened them they found that somehow they had been exposed as if they had been used. Upon investigation by the Ministry of Health it was found that radium traces were in that building. This discovery led to a look at the history of the building, this being the same Church Street building that Radium Luminous Industries had been located in during the war.

The tracing of the history of that building in 1975 led to a discovery of the activities that were carried on at the farm in the Malvern area of Scarborough. At that time the Atomic Energy Control Board and National Health and Welfare conducted soil testing and sent samples to the Ministry of Health. From the information I have been given, no abnormal levels of radioactivity were detected at that time.

That seems rather strange to me, and I guess it does to all of us. The explanation apparently was that the testing that was done and the holes that were drilled at that time missed by some 50 feet the areas where the low-level radioactive soil now has been found to be present. Although the discovery of what had actually happened in Malvern occurred in 1975, there appears to have been no general concern or alarm that there was a problem then.

10:20 p.m.

Then we move five years forward to November 1980, when two journalism students from Ryerson doing some tests discovered unacceptable levels of radioactivity in two backyards in the McClure Crescent area. They located the site, I am told, on information from a chemist who had worked on the farm during the Second World War. I have no other information as to why they happened to get in touch with this chemist or how this came about. The results registered by their radiation detector meters were confirmed by University of Toronto physicists. So the presence of low-level radioactive soil on McClure Crescent in Scarborough became publicly known and became the concern of the residents who had bought homes in that area and found this soil was in their backyards around November 1980.

At that time, the Minister of the Environment of the day indicated that responsibility for radioactive waste rested with the Atomic Energy Control Board. Mr. Eaton of the board said AECB would check all the properties and remove topsoil for temporary storage elsewhere until permanent facilities could be found. MacLaren Ltd. was hired and testing was conducted. The results of that testing is available in a report, Radiation Survey of the McClure Crescent Area of Scarborough, Ontario: Interim Report to the Atomic Energy Control Board. Where the radioactive soil was present, where it was most concentrated and so forth, was outlined in this report of the AECB.

What happened after that is perhaps better known to the members of this House. This area is located in the riding I have the privilege and honour to represent. From the very beginning, when the presence of the soil was indicated and the concern of the residents was pointed out to all of us, both I and the federal member for the area, the Honourable Paul Cosgrove, felt that the only reasonable and sensible thing to do would be to have the soil removed, even though there are certainly conflicting opinions about the degree of hazard the presence of the soil will cause.

There is no question in my mind that the soil remaining in the backyards and in the front yards and around the properties on McClure Crescent will be a hazard forever to those people who live there, no matter what anyone else believes. Be that hazard an actual one or an imagined one, it is a hazard. It is a hazard in a

number of ways to those people and, therefore, it must be removed.

Mr. Cassidy: The Minister of the Environment (Mr. Norton) does not think that. He says it is just psychological.

Hon. Mr. Wells: I said it is a hazard in a number of ways. Certainly, even the psychological presence of something that in fact may not be a total health hazard is a hazard. I have had numerous arguments with the medical officer of health in Scarborough, who is not prepared to say it is really hazardous to have that soil there.

That is why I made the comments I did about wearing luminous wristwatches, because we all wore those. I still have one in a drawer at home. We all wore them at one time. We now feel they are hazardous. Whether it would have caused us any hazard over a period of 20 years, I do not know, but the fact is that none of us would take a chance on wearing them any more; so we do not wear them.

Hon. Mr. Snow: I still have one on.

Hon. Mr. Wells: The minister should take it off then, especially sitting beside the Minister of the Environment. It will present a problem to him.

The other well-known facts concerning this matter are that the Atomic Energy Control Board then prepared with MacLaren a very detailed program to remove the soil. I think it affects about 40 homes and it totals something like 6,000 tons of earth that would have to be removed.

A total plan was devised by MacLaren, which is very knowledgeable in this particular area because it previously did a removal of low-level radiated material in the Port Hope area. It did a study and projected a plan for removing it from this area which was presented to the residents.

The basic problem which then arose was where this soil was to go. The first proposal by the AECB was that the soil should go to the mine in Bancroft. History shows that was not an acceptable decision for the people in Bancroft. Ultimately, the mine itself, as I understand it, decided the soil should not go to Bancroft.

So Bancroft was not the site where the soil was to go. Bancroft was suggested because there was a low-level waste storage area there that the mine was using for certain mine tailings. Anyway, that was not to be the site the soil would go to.

Next, a committee of AECB and others suggested a site somewhere in Camp Borden.

These were all temporary sites, because the ministry and others are still in the process of developing a permanent site for low-level radioactive material, something that has not been developed yet except for the site Ontario Hydro has at the Bruce generating station which is for a higher degree of low-level radioactive material in the soils.

The Camp Borden site, of course, became embroiled in a legal controversy. It became embroiled in injunctions that were placed by local residents and an ultimate decision—are my friends getting a little anxious to speak over there?

Mr. Charlton: No.

Hon. Mr. Wells: I thought perhaps the best thing to do tonight was to give the members the total history so they would have the background on this.

Mr. Conway: It is rare we see the government House leader line-fencing it, and it is quite exciting.

Hon. Mr. Wells: The situation in Camp Borden and the court cases around the Camp Borden situation were such that, ultimately, the federal government and therefore AECB felt they had no authority and no money to accept what we always said was their responsibility: to remove the soil.

We were then at the point, following the Camp Borden court decisions, faced not only with the refusal of Camp Borden as a site but also with the refusal of AECB to do anything more to remove the soil and with the complete washing of its hands on the part of the federal government of any responsibility in this matter.

As my friend the member for Renfrew North (Mr. Conway) knows, the Premier (Mr. Davis) in all this had sent three or four telegrams suggesting Chalk River, which suggestion was at some times politely rejected and at other times not politely rejected.

Hon. Mr. Norton: In Sean's backyard.

Mr. Conway: I said yes to Port Hope.

Hon. Mr. Wells: It was the feeling that Chalk River might be an appropriate site, but that was rejected. The key here is that after the Camp Borden court cases, the federal government vanished from the scene. It then became clear that if this soil were to be removed, it would have to be removed by the province and the municipalities concerned. Since the Camp Borden situation, we have had no success in interesting or getting AECB or the federal government to do anything more in this area.

The net result is that we have Bill 174 to give

the legal framework within which the borough of Scarborough, in partnership with the Ontario government—the Ministry of the Environment—and with the moneys voted by this Legislature, can remove that soil from the Malvern area once and for all and rehabilitate those properties in an acceptable manner. This bill is very necessary if that is to be done.

The one thing still missing from the bill, which does provide for the Lieutenant Governor in Council to name the position, is where it is going. At this point I cannot say where it is going, but I suggest that it would be frivolous to decide to oppose the bill just because we do not know where it is going.

Any attempt on the part of the opposition to take a tack such as saying, "We are not going to give the authority to the borough of Scarborough and the province to remove the hazardous soil," is not keeping very good faith with the people of McClure Crescent in the Malvern area of Scarborough. They will then become a partner with all the other obstructionists who have been there to see that so far nothing has happened as far as McClure Crescent is concerned.

I invite the members opposite not to join the obstruction team, but to come with us and support this bill. In due course this House will be fully informed as to where the soil is going. In my wind-up remarks I will be happy to discuss some of the ideas where the soil might go. My first choice is the Beare Road landfill site in Scarborough, but even that is being opposed and residents are taking us to court over that site.

I urge the members to support this bill.

On motion by Hon. Mr. Wells, the debate was adjourned.

The House adjourned at 10:32 p.m.

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Legislature of Ontario Debates

Official Report (Hansard)



Second Session, Thirty-Second Parliament
Thursday, October 21, 1982
Afternoon Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Thursday, October 21, 1982

The House met at 2 p.m.

Prayers.

STATEMENTS BY THE MINISTRY

WELFARE PAYMENTS

Hon. Mr. Drea: Mr. Speaker, today I would like to announce a special recession package of $52 million in program improvements and new initiatives to provide additional basic assistance in this critical period. This assistance will be directed to those people who are most severely affected by the current recession.

I would like to emphasize that a new type of recipient has been forced on to welfare, one who had never had to rely on government assistance. There is an unprecedented number of unemployed people in Ontario who have exhausted their unemployment insurance benefits. Even though they are actively seeking jobs, jobs just are not there.

Let me point out what this has meant for the general welfare assistance program. In March 1981, 84,563 people were receiving assistance from this program, and with the usual summer seasonal decline the number of recipients dropped to 72,020 by October. However, in March of this year, just eight months ago, 94,725 people received general welfare assistance. Little or no seasonal decline took place in the summer of 1982. Not only has this not happened in recent memory, but the outlook for the winter is particularly bleak.

The Ministry of Community and Social Services will be responding in a number of ways. I am pleased to announce permanent allowance increases to more than 100,000 family benefits assistance recipients, and to over 85,000 general welfare assistance recipients. These increases will benefit some 370,000 people in both programs.

In addition, an emergency winter community shelter and assistance program will be undertaken immediately. This program will involve the co-operation of church agencies and municipalities, whom it will assist to meet the needs of those most affected by the current recession. Up to $1.5 million will be made available.

It is clear to me that the next six months will be particularly difficult for those without resources. As a result, I have taken this major step of providing temporary emergency funding over and above permanent increases to existing programs. The following increases will take place in Ontario social assistance programs:

General welfare assistance recipients: effective November 1 of this year, they will receive a basic five per cent adjustment to their benefits; in addition, a $25 across-the-board adjustment in the province-wide shelter subsidy will go to those with high shelter costs. A special rise of $11 per month above these increases will be provided to all single employable recipients, raising the maximum allowance for this group from the present $266 to $313, or a total increase of up to 17.7 per cent.

Family benefits recipients: effective January 1, 1983, they also will receive a basic five per cent adjustment in addition to a similar $25 across-the-board adjustment in the province-wide shelter subsidy.

I would also like to inform members of this House that, as of next month, the guaranteed annual income system for the disabled, or Gains-D, under the family benefits program, will be extended to include more than 27,000 recipients now classed as permanently unemployable. This is the second stage of an expansion of the Gains-D program, which began in November of last year with a $40 per month increase.

This second stage will provide increases of up to $46 per month as well as the five per cent adjustment which applies to FBA recipients in general. These increases will result in rate adjustments of up to 24.1 per cent for single persons on the program. The increases, which also will apply to single 60- to 64-year-old women, will result in adjustments to this group of up to 39.3 per cent over November of last year.

As in previous adjustments, the object of the selective application of available funds is to ensure that those recipients in the greatest need receive the greatest benefits. The emergency winter community shelter and assistance program will provide a critical source of aid to those who have been particularly hard hit by the effects of the recession. Emergency assistance is currently

provided through the general welfare assistance program, but the severity of the recession calls for an increased allocation for the next six months through the winter.

I anticipate that an additional $1.5 million will be required to finance these new initiatives. We have already been talking with church agencies in the core of Metropolitan Toronto so that we may determine the program details, as well as to clarify the role of the municipalities.

In addition to the social assistance increases I have referred to earlier, there will also be increases to foster-children rates, pregnancy diets, facility discharge allowances and back-to-school allowances for children of family benefits recipients.

2:10 p.m.

The rate adjustment contains a further example of selectivity in its treatment of boarders. While recipients facing market costs will receive the five per cent adjustment plus the shelter supplement, those whose boarding costs are not determined by market conditions will not receive them. For example, many individuals living with relatives or friends will not receive any increase to their maximum payments at this time.

Consistent with the overall selectivity theme, however, minimum boarding payments have been increased by five per cent. Also, individuals renting other than self-contained quarters will be treated in a comparable manner to boarders.

I would like to stress that an increased allocation of $96 million will be required next year just to keep pace with the allowance levels we already provide. This increase on its own means that the amount paid by the province for basic income maintenance will exceed $1 billion. This amount is cost-shared by the federal government under the Canada assistance plan.

In closing, I am confident these features and the new initiatives to Ontario's social assistance programs will improve our responsiveness to actual needs while the new funding will help us in the short term.

Mr. Speaker: The member for Riverside.

Mr. Renwick: Mr. Speaker, on a point of order: Can the minister make a copy of that statement available to each member of the assembly today?

Hon. Mr. Drea: Certainly.

MINISTERIAL APPEARANCES AT COMMITTEES

Mr. Mackenzie: Mr. Speaker, I have a point of order on which I need your direction.

My understanding is this House is supreme and that committees are an extension of the House. On two occasions while the justice committee has been dealing with the restraint bill, the chairman has ruled out of order motions requesting the appearance before the committee of ministers whose portfolios are directly affected by Bill 179.

I have read the chairman's statements. There was no statement on the first occasion. He just said, "You are out of order and I will not deal with it." On the second occasion, he made a ruling. I believe his authorities and rulings are incorrect and unprecedented and the precedents he cites do not deal with the matter.

No one is asking that the committee do anything outside of its terms of reference, but to interpret the committee's instructions from the House so narrowly as to exclude an appearance by a minister is ludicrous and unacceptable. Surely, public hearings should be interpreted as permitting the public to hear from the minister concerned.

I point out that on the same page of May mentioned by the chairman, it also says, "The interpretation of the committee's order of reference is a matter for the committee." I am not questioning that the committee does not have the right to set its orders, but the chairman did not allow the committee even to make a decision. He arbitrarily, without any reference, ruled out of order the motion that was moved.

If the chairman means that public hearings mean only presentations from the public, how could he have allowed the critics to make opening statements on Tuesday night? If public hearings are going to be so narrowly interpreted, then presumably neither the Treasurer (Mr. F. S. Miller) nor his parliamentary assistant will be permitted to say anything until clause-by-clause study begins on the bill.

What I am asking for here is some direction because we had a heavy-handed action by a chairman that was totally out of order. What recourse do we have, Mr. Speaker?

Mr. McClellan: Speaking to the same point of order, Mr. Speaker, before you make your ruling on the—

Mr. Speaker: I would ask the member to proceed. I am not asking advice; I was telling the Clerk something. I can listen to you while I am talking.

Mr. McClellan: I am glad you are not asking for advice.

Before you make a ruling on the matter that has been raised by my colleague the member for Hamilton East, I would like to ask you to review the transcript of the proceedings of the justice committee. My understanding is that not only were two motions having to do with the agenda of the committee ruled out of order by the chairman in a totally arbitrary way, and I was present for those two events, but that a third motion, also dealing with the ordering of the agenda of the committee, was accepted by the same chairman. It was accepted, I am told, because it came from a member of the governing party.

It is a matter of extreme concern when chairmen rule that resolutions are out of order by virtue of the fact they come from one side of the House, but are in order by virtue of the fact they come from another side of the House. I am sure you would be very concerned if that kind of thing—

Hon. Mr. Eaton: Sounds like the days of Philip when he was chairman.

Interjections.

Mr. McClellan: Well, some members of the government may think their majority entitles them to stampede over everything and everybody, but that is not the way we do things in a parliamentary democracy. Mr. Speaker knows that, whether my tinpot friend knows it or not.

Mr. Bradley: Mr. Speaker, I know that in the past when we have brought matters of what transpires in committees to your attention, you have indicated the committees have the right to order their own business and, in essence, should settle their own squabbles within the committee system. That worked very well when we were in a minority position because, if there was a challenge to the chair, we were in a position to overturn the decision of the chairman if it was unfair.

The reason we are coming to you with these questions of order, or points of order or privilege, whatever they come under, is that the last person we can appeal to in this regard is the Speaker, for his guidance and his persuasive powers in dealing with committee chairmen. I do not want to place the matter I drew to your attention in the same category as this; it is not the same thing. We come to you because ultimately we have the Prime Minister's six and five solution on every motion that comes before a committee: six Conservatives and five opposition members.

Mr. Renwick: Mr. Speaker, on the same point of order: The policy the chairman has fallen into in this matter is that he continually remarks that we are under mandatory instructions from the House, as if in some magic way that overrides the orderly business of the committee. I am sure, sir, when you are giving consideration to the point of order raised by my colleague the member for Hamilton East, you will take into account that you must instruct the chairman about the leeway involved, even though the terms of reference of the committee were specifically set by resolution of the House.

Mr. Speaker: I thank the honourable members for raising this matter and bringing it to my attention. I would ask that I be given some time to consider it and report back next week.

VISITOR

Mr. Peterson: Mr. Speaker, with your indulgence, may I take this opportunity to introduce a very important visitor who is sitting under your gallery on this side of the House. Our guest is Mr. Stephen Neary, the Leader of the Opposition and leader of the Liberal Party in Newfoundland.

I should point out he is the longest-serving member of that House, having served some 21 years. I understand in that period of time he has been a minister of the crown, the whip, the House leader and is now the leader. I am told by those far wiser than I that he will be the next Premier of that great province.

Hon. Mr. Ashe: He's more likely than you anyway.

Interjections.

Mr. Peterson: I had to do something to arouse those chaps.

ORAL QUESTIONS

UNEMPLOYMENT

Mr. Peterson: Mr. Speaker, I would like to address a question to the Treasurer (Mr. F. S. Miller). The Treasurer is no doubt aware that on Tuesday, Falconbridge mines announced 300 to 500 more workers will lose their jobs permanently, joining at least another 1,000 of their fellow workers in Sudbury. No doubt he is aware that General Motors announced yesterday that the Oshawa car and truck plants will be closed for three weeks and two weeks, respectively, affecting another 5,050 people. In addi-

tion, 135 workers at the Oshawa fabrication plant will go on indefinite layoff starting Monday, joining 1,250 truck workers already scheduled to begin indefinite layoff.

No doubt these statistics speak to the very serious structural problems both in the manufacturing sector and in the resource sector in this province. Is the Treasurer now persuaded, hearing this almost daily litany of statistics every week in this House and given the record number of unemployed, that it is his responsibility to act and what is he going to do?

2:20 p.m.

Hon. F. S. Miller: Mr. Speaker, the Leader of the Opposition's question is in two categories. One part is specifically for the north; probably when it is responded to, my colleague the Minister for Northern Affairs (Mr. Bernier) may be the best one to answer it. I believe my colleague the Minister of Natural Resources (Mr. Pope) is in Sudbury this afternoon; no matter what else he may be doing there, I assume he is quite concerned about and involved in the problems of Inco and Falconbridge.

As far as the other part of the honourable member's question is concerned, it is the question he has asked me most days of the week. I must say I have been very encouraged of late by the rapidly increasing dialogue between the new ministers in Ottawa and ourselves. I have been impressed by the willingness of both Mr. Lalonde and Mr. Johnston to come here to talk to us and to imply that there probably will be some federal action. We hope we may be part of it, and we have offered to be. I have instructed my staff to be ready to discuss matters with Ottawa should they permit us to do so, and I understand that they will permit us to do so.

Mr. Peterson: I must tell the Treasurer that I have drawn no more comfort from his remarks today than I have over the past few weeks, as he continually fails to address his mind, or the actions of his ministry, towards what we consider to be very serious problems.

I remind the Treasurer that when his colleague the Minister of Industry and Trade (Mr. Walker) announces jobs—for example, when he said there would be some 600 or so jobs as a result of one GM deal—he always goes on to say, "As a result of that, the actual economic spinoff will be twice or three times that, because each manufacturing job creates twice as many non-manufacturing jobs." With respect to the Clark Equipment deal that he bragged about in this House last week, he talked about the initial jobs, but he also said twice as many jobs will be created in the community. His point is that when these jobs are created there is an economic ripple effect, or spinoff, that is good for the community.

Is the Treasurer impressed by the fact that every time we lose a permanent job in this province, we are not losing one job but, by his own logic, we are probably losing three jobs and that things are much more serious than he is prone to admit? Does that not say to the Treasurer that he has to have a greater sense of urgency in these matters; that just having a few meetings with Mr. Johnston or Mr. Lalonde, or whoever his friends are in Ottawa this week, is not going to address some of these questions nearly quickly enough? Why will the Treasurer not come forward to this House now with a plan of action?

Hon. F. S. Miller: My friend never wants to admit that we ever do anything positive or that we have had a plan of action. I can only suggest, in terms of the numbers of jobs created by government action, that Ontario has done well. That in no way alleviates the suffering that is going on. My friend knows that. But he does not want to admit that section 38, with the federal government's Unemployment Insurance Act, has helped to produce 4,000 jobs in the north. He does not want to admit that those jobs are worth having. He would imply to me that putting 4,000 people back to work on projects such as access roads and reforestation—

Mr. Bradley: It's not enough.

Hon. F. S. Miller: Sure it is not enough. I am not even trying to pretend it is, but it is 4,000 jobs that have been created. My friend does not want to admit that the housing program is working right now; that applications are coming in quickly and that for every house sold, three to 3 1/2 man-years of work are created in Ontario. He does not want to say that if we had not put $75 million into that program, those jobs would not have been created. Those people are working. He does not want to admit that interest rates are coming down because of a turnaround in the spending habits of at least this government.

Mr. Peterson: What nonsense.

Interjections.

Mr. Speaker: Order.

Hon. F. S. Miller: I was looking at some statistics today, and I want to read a couple of them into the record to show how well this province has done in comparison with the

others, particularly compared with a Liberal government.

Interjection.

Hon. F. S. Miller: Yes, the rate just dropped again. Just a few moments ago it dropped nine basis points, and it dropped 92 last week.

I want to point out that, while I have had my deficit get worse this year by some 15 per cent, Alberta has had its deficit change, from the day it estimated until now, by 223 per cent. British Columbia's has become worse by 203 per cent; the federal government's by almost 400 per cent. Since its last budget was brought out, there has been a 400 per cent change. The member is trying to imply that on a day-to-day basis this government has not been a good and orderly operator or that it has not taken action. We have done better than any other government in Canada. The facts show it.

Mr. Peterson: Mr. Speaker, on a point of privilege: I think it is your responsibility to determine whether his staff writes an answer for him regardless of the question or how he thinks about it. What does what he has said have to do with the question asked?

Mr. Speaker: Order. That is not my responsibility.

Mr. Laughren: Mr. Speaker, my supplementary to the Treasurer has to do with that part of the leader of the official opposition's question that dealt with the Falconbridge announcement of 500 more layoffs. Is the Treasurer aware that in Sudbury now, approximately $15 million a month is being paid out in Unemployment Insurance Commission benefits and $1 million a month in welfare payments to people within the region?

Given that and the fact that my colleague the member for Sudbury East (Mr. Martel) and I have prepared a document called A Challenge to Sudbury, which outlines an eight-point program for rebuilding the Sudbury economy—a document, I might add, that even the Treasurer should not find ideologically offensive—would the Treasurer assure us he will support my motion for an emergency debate later on this afternoon?

Hon. F. S. Miller: No, Mr. Speaker, I cannot give that assurance at all. A motion of that nature was defeated, I believe, or at least ruled out of order or not necessary, just a few days ago. I recognize the problems are not better. I do not think, however, they have deteriorated in the last two days to a point that changes the picture. However, the member knows that later on today that motion will be put and will be ruled on. Let us wait until then before deciding what the feeling of the Speaker is.

I accept the fact that the member's ideas are put forward seriously and they are put forward intelligently. I say both of those things. I am in no way going to try to reject any of them now. I think I should be looking, as all of us should be, for ideas that will work from any source. I am not rejecting out of hand or accepting. I am looking for solutions. That is the attitude I have at this point. One of the ironies of this world, as the member knows and I know, is that the world nickel market is being—

Ms. Copps: The ironies of the world are not the question.

Hon. F. S. Miller: The member for Hamilton Centre is back.

Mr. Speaker: Order. I might remind the member for Hamilton Centre that I am quite well aware of what my responsibilities are. The Treasurer was answering a question of the member for Nickel Belt.

Hon. F. S. Miller: I assume, Mr. Speaker, that because she is back she had to have her name in the record.

Mr. Kerrio: You were stickhandling and she knew it.

Hon. F. S. Miller: I have offered to play hockey for the member for Niagara Falls one more time. He got rid of me last time that way.

Mr. Speaker: Never mind the interjections, please.

Hon. F. S. Miller: Now, back to the member for Nickel Belt. One of the ironies of the situation, in spite of the attitude of the member who just interrupted both of us, is this: In the world of nickel producers, a number are from states and nations where profit is not a motive. The member would argue that profit should not be a motive and that there should be stockpiling.

Mr. Laughren: Is that what it says in here?

Hon. F. S. Miller: I am talking of the world situation. Cuba and other countries that need hard dollars have been really hurting Sudbury. I think the member would agree with that. That has been a major problem. They have depressed the prices, flooded the markets and, in fact, destroyed the world's orderly marketing system.

2:30 p.m.

Mr. Nixon: Mr. Speaker, the Treasurer has been around here a long time and knows it has been the custom of the government of Ontario to announce in the autumn—some time in

November—a series of programs that will assist the economy and particularly reduce the number of unemployed over the bad winter months.

Since the Treasurer says that his leadership is doing so much for the budget he brought in some months ago, and that it is so much better than the other jurisidictions that are trying to do something with the unemployed, does he intend to make an announcement within the next four weeks of a series of programs to come to grips with at least some of the unemployment in some of the more hard-hit communities?

Hon. F. S. Miller: Mr. Speaker, when it comes to being around here a long time, I take my hat off to the honourable member and say I hope I manage to make his time. There are some of us in the room who are celebrating our 11th anniversaries today. I suspect there are a number of them on his benches, there are some on those benches and there are quite a few on these benches. By my estimation, I am halfway through my term as the member for Muskoka.

Mr. Speaker: Now to the question, please.

Hon. F. S. Miller: The fact is that it has not been a habit to have—

Mr. Nixon: It has been with you.

Hon. F. S. Miller: It has not. I have done it once. It has not been a habit to have a mini-budget in the fall. When we brought in the five per cent legislation, Bill 179, we implied that there would be a need for further actions to stimulate employment and that if there were no federal ones, there would be some provincial ones. We have not said "Maybe," we have said "Yes." Please give me the time and give our government the time to work in a co-operative way. We are working hard at it.

DEATHS AT HOSPITAL FOR SICK CHILDREN

Mr. Peterson: Mr. Speaker, I have a question of the Attorney General. Will he bring this House up to date on the status of the police inquiry at the Hospital for Sick Children in Toronto?

It now has been five months since those investigations started again in earnest. Of course, the police have been there for considerably longer than that—a year and half or so—looking into these matters. The Attorney General expressed some concern five months ago that these matters would conclude as soon as humanly possible. Can he tell us the status of that investigation and when he expects a conclusion?

Hon. Mr. McMurtry: Mr. Speaker, I had a meeting with some of my senior people at the beginning of the week to get a status report. There is no doubt that the investigation is still very active, but it is very difficult to put a time frame in which one can reasonably speculate as to when the investigation will be concluded.

Obviously it is very difficult to predict the length of any investigation, because new facts arise that warrant areas of investigation that perhaps had not been thought of before simply because of the absence of relevant information. The best estimate I have is that the investigation will be proceeding for at least some weeks. I would hope it would be wound up within the next couple of months but, apart from that, I cannot assist any of the members further.

Mr. Peterson: There is no doubt that a number of public questions linger. The minister will see various questions raised from time to time about a number of issues that still have not been resolved in a lot of people's minds. Has the Attorney General in his thinking come any closer to bringing about some kind of public inquiry into this matter?

It was an option he did not rule out, as I recall, when he originally announced the police investigation. It appears there is not very much information coming out on this matter, either publicly or with respect to the hospital staff and others. They are very much in the dark, by and large, about what is transpiring and there are a number of people, including myself, who are not terribly reassured by what has been transpiring with the investigation up until this point.

I would like the Attorney General to reassure me and many other people who are concerned that we may not get the answers through his police investigation, which has been going on for close to two years now in that hospital. We may have to be looking at alternatives to find out the truth.

Hon. Mr. McMurtry: It would be unwise for the Leader of the Opposition to speculate that nothing much is turning up as a result of this investigation. I am not sure whether that was the point he wanted to make. As he and all the other members know, there is also the investigation conducted by Mr. Justice Charles Dubin of the Ontario Court of Appeal. That report probably will be available to members of the Legislature before the end of the year. In the event that no further criminal charges are laid, the matter of a public inquiry obviously is an option that will have to be considered very seriously.

Mr. Renwick: Mr. Speaker, the Attorney General made a statement in the Legislature on May 25 in which he said: "We must establish the facts concerning the tragic deaths and those that are unexplained and may be considered homicides. It is absolutely imperative that we first establish which of these deaths are homicides, for that is essential to the aggrieved parents, the public, the hospital and the administration of justice."

Is the Attorney General prepared to make a statement as to which of the deaths that occurred at the Toronto Sick Children's Hospital between July 1980 and March 1981 are now determined to be homicides?

Hon. Mr. McMurtry: No, Mr. Speaker, except to remind the member for Riverdale that a press release was issued a few weeks ago indicating that of the approximately 44 deaths that were under investigation, and I cannot be precise about the number, I believe 23 or 24 of these deaths, in the view of the investigators, were ruled out as possible homicides. The balance are still being investigated, and it is simply too early to indicate how many of the remaining deaths are considered to be homicides.

Mr. O'Neil: Mr. Speaker, in regard to the same matter and the haste with which the Nelles girl was charged, can the minister tell us whether any investigation by the police force has taken place to see if those charges were laid in haste and whether the people who laid them will be reprimanded in some way?

Hon. Mr. McMurtry: Mr. Speaker, it is very premature to draw the sort of conclusions the honourable member wishes to draw. Obviously the conduct of the police and the crown attorney's office has been criticized in this matter. There has been some suggestion of a possible lawsuit to be initiated by Miss Nelles which may provide a forum to deal with some of these issues.

There are a number of issues that have to be addressed in this whole tragic affair. These issues will be addressed, but obviously, until the criminal investigation has been completed, those of us who have some responsibilities in this matter have to be restrained in relation to any public statements in view of the ongoing criminal investigation.

WELFARE PAYMENTS

Mr. R. F. Johnston: Mr. Speaker, my question is for the Minister of Community and Social Services. I congratulate him. He promised to bring this out before winter started and, for everybody except the people in Kapuskasing, he made it.

Is the minister not concerned that he is again picking favourites? How can he see an increase of 8.5 per cent as being adequate for a welfare family of four which has not received an increase since the beginning of 1981, when the consumer price index has gone up by 25.7 per cent in that time, milk has gone up by almost 30 per cent in that time and Consumers' Gas rates have gone up by 30 per cent in that time? How can he rationalize that as being a group that should not have received the same kind of increase he has given to the single unemployables?

Why is it fair to Family Benefits Act recipients and the disabled that he is not going to give them their money until January? Is the minister not taking their money out of their hands just to pay for his winter project special?

2:40 p.m.

Hon. Mr. Drea: Mr. Speaker, as to the thrust towards the single employable person, I would have thought the honourable member would have said that he inspired me.

As I explained very carefully in my statement, this is a program that is designed to be of assistance to those who are hardest hit by the current recession. Obviously there were priorities. One of the priorities was single employable persons, who have the greatest of difficulty in meeting shelter costs and in trying to meet the costs associated with trying to find jobs. That is why they receive priority at this time.

The general welfare assistance recipients received priority from November rather than from January on the basis that the winter situation is bleak and a whole new class of people is on general welfare assistance because of the recession. I did not recycle any money and I did not save any money.

The emergency assistance and shelter program is money that is specifically earmarked for this winter only; it has no application after that. What we want to do is to assess very carefully what goes on after December and January—what the economy is indicating, how the very large and increasing number of exhaustees from unemployment insurance is going to be treated by the federal government and ourselves—and to make some determinations in January and February as to where we go once spring begins.

As I said, there obviously were priorities. I think I have met those priorities. We have been very careful to explain that this has been done on a selective basis.

I also point out that it is because of the selectivity in increases that I introduced last year that, by and large, we have been able to cushion to a very substantial degree the impact of inflation on two groups who are the least able to cope with it; that is, the permanently unemployable persons and the single women aged 60 to 64. That is the whole basis of selectivity. We choose our priorities, and even in rather difficult times like these we have been able to do so.

Mr. R. F. Johnston: That is why I posed selectivity. I find it difficult to understand how the minister can consider families who are on welfare today, and those who are going on welfare in family groups this winter, as not being in desperate need. I find that very hard to understand.

There are a number of questions of clarification I might ask with regard to the minister's statement. He stated that there were approximately 94,000 people on general welfare assistance in March and that he was not expecting that to diminish. The last figure I heard was that there were more than 90,000 such recipients during September. Yet, in his news release, he says he is going to assist 85,000 general welfare recipients. I would like to have some clarification on that.

On page 7 of his announcement he gives me some concern in that I am not sure of the status of rooming houses. When he says that "individuals renting other than self-contained quarters will be treated in a comparable manner to boarders," I would like to get it very clear that people in rooming houses, sharing kitchens and other facilities, are not included in that group.

Finally, will he tell us how many people on general welfare or family benefits will not be eligible, for reasons of their rent, for the extra $25 maximum they can receive? Does he have any idea how many will not be eligible for that $25?

Hon. Mr. Drea: First, any single general welfare recipient, or I suppose even a couple, living in a rooming house—and a rooming house is self-contained quarters by our definition, even though they may be sharing a kitchen; what we are talking about is a situation of a board arrangement whereby the food and shelter are put into one package.

As a matter of fact, the shelter allowance and some of the extras that went to single unemployable people obviously were intended to meet the particular situations of rooming houses.

Second, the reason that the number of cases who are on general welfare assistance is different from the number of recipients, heads of households or cases, whatever one wants to call them, who will not be receiving benefits is that some of those who are boarding with friends or families obviously will not receive them. That is the difference.

In terms of family benefits, the number is slightly higher because there are a number of people on provincial pensions who have that type of arrangement, which is not quite the same as general welfare assistance.

The number of people who will not be getting any rent supplement depends on how many have high shelter costs, and it is increasing daily. I can get the member a detailed breakdown, but I hope that he and the House will bear in mind that if we say it appears that as of October 21, 1982, a particular person is not eligible because of his relatively low scale of rent, if he is in the competitive marketplace it might very well be a month, two months or some weeks before he would get a rent increase that would push him beyond the threshold cost level where he would be entitled to an additional rent supplement.

May I pause for a moment to draw something to the attention of the House? Yesterday, the member for Grey (Mr. McKessock) and I were absolutely delighted to have a very distinguished parliamentarian, Mr. Farquhar Oliver, join us in Durham for the sod-turning of a home for the aged. Since he was such a distinguished parliamentarian in this chamber for so many years, not only as a member but also as a cabinet minister, a party leader and, indeed, one who participated in making some of the arrangements that now have us doing what we do, it would be appropriate that those of us in the House, particularly those opposite me, symbolically send Mr. Oliver our collective appreciation and best wishes that he is working so well in Durham and able to take part in a ceremony with so much distinction and verve just as he did over so many years.

Mr. Boudria: Mr. Speaker, I have a two-part supplementary question of the minister if he wishes to listen.

Given that the minister has stated there is a new class of general welfare recipients, and we acknowledge there are people who have never been on general welfare assistance before, and given that to restore the purchasing power that general welfare recipients had in 1975 for a father, mother and two children, he would have had to increase his benefits by some 36 per cent, and as I calculate from what the minister stated to us today they will be increasing by less than 10

per cent for a family of four, does he feel the increases are adequate in those circumstances?

Second, does he wish to tell the House whether he consulted his colleague the Minister of Municipal Affairs and Housing (Mr. Bennett) about obtaining additional funding for the municipalities, which will have to foot their part of the 20 per cent increase, since the Minister of Municipal Affairs and Housing stated the following on August 23: "It would be imprudent for any municipality to plan for next year on the assumption of any increases in grants from the province"?

2:50 p.m.

Hon. Mr. Drea: Mr. Speaker, answering those in the reverse order, I consulted with the executive of the Association of Municipalities of Ontario prior to making a decision. They pointed out to me, and I had considerable sympathy with them, the fact that in any increases in the general welfare assistance area there was a 20 per cent cost factor for themselves. The AMO executive, which included the new president, a senior alderman of the city of North York and a senior alderperson of the city of Ottawa, assured me this was an area in which they would find the money. So I do not think I have to discuss this matter with my colleague the Minister of Municipal Affairs and Housing at this time.

I made it very plain when I spoke at the AMO convention. I talked about the very large increases that appeared inevitable because of the significant numbers of people exhausting their unemployment insurance benefits. At that time I assured the municipalities that I was prepared to sit down with them if they began to find themselves in significant difficulty. That commitment is there. AMO endorsed this increase, knowing full well the implications and the repercussions.

One of the things we hope to do—I direct this to the honourable member, particularly, because of the singular problem he has with unemployment in his area—is with regard to the emergency shelter and assistance program to be offered by municipalities and churches over the wintertime.

At this time we are having to deal with a very large migration into Metropolitan Toronto, in the core of the city, because of unemployment in other areas. While that has been our focal point, certainly we would be prepared to discuss a similar program in the area the member represents, particularly because in that area it is not so much a question of recently exhausting UIC benefits to people who have been unemployed through no fault of their own for a considerable period of time and who have utilized virtually all the family resources available.

I am sure the bishop and some of the church groups there have some ideas. We would be delighted to sit down with them and with the member to see what can be done on the basis of their delivering the service.

Mr. McClellan: Mr. Speaker, I wish to ask the minister a question about the emergency winter community shelter and assistance program, which he identified on page 3 of his speech.

Can the minister tell us how many people his ministry estimates there will be who cannot afford to put a roof over their heads this winter, despite today's increase in general welfare assistance rates, and who will be living on the streets and sleeping in community shelters? How many people will be relying on what I will call the social safety net of the 1982 depression; that is, soup kitchens and community hostels? To how many people does the minister intend to provide this kind of service?

How many people does the minister estimate will require to make use of the facilities provided under the emergency winter community shelter and assistance program?

Hon. Mr. Drea: Mr. Speaker, at no time have I used the term "soup kitchen." At no time will there be the type of facility that is commonly known as a soup kitchen. It is quite true that through community agencies we plan to feed a large number of people, but I can assure the honourable member that it will not be on the basis of a soup kitchen.

The municipality of Metropolitan Toronto has been working very diligently to try to estimate the need for emergency shelter over the winter months. We are talking about emergency shelter for people who otherwise would not be in it. I am not talking about the 400 or so transients. Since I have not been directly involved in the provision of beds or in the estimates for them, from memory I think they are talking about somewhere in the area of 1,000 to 1,200 in terms of sleeping accommodation. In terms of provision of food, Metropolitan Toronto is entitled to have any type of hostel or feeding arrangement it feels is necessary and we have come in with 80 per cent.

Metropolitan Toronto has been estimating on a very practical basis. They are talking not only about single people but also about families who may need additional food. They are looking at it in terms of how single females might be able to

have their food or shelter needs met and not in terms of a catch-all program.

I think we are a couple of weeks away from a detailed outline of what we are prepared to co-operate with or to make available in conjunction with the municipality of Metropolitan Toronto social services department and various community groups. At that time it might be advisable to put down an estimate based upon this winter rather than the one that has been done purely on the basis of expectation of hostel-bed inventory.

I do not want to belabour the point, but many of the people who will receive assistance in this way do not need shelter accommodation, because they already have a place; they need food. We will give a complete breakdown and make it available to the House.

Mr. Laughren: On a point of privilege, Mr. Speaker: I think you will agree that it is incumbent upon members to look after the privileges of other members of the House, and not just their own privileges. Ever since the beginning of the question period, the government House leader (Mr. Wells) and the chief government whip (Mr. Gregory) have been leaning, intimidating and threatening the member for Sudbury (Mr. Gordon) to vote the right way on the emergency debate this afternoon, and I think that is wrong.

Mr. Speaker: I must inform the honourable member that is not a matter of privilege.

Mr. R. F. Johnston: I am sure it is brotherly love and affection, which is seldom seen in this House.

HANDICAPPED ADULTS' SERVICES

Mr. R. F. Johnston: Mr. Speaker, I have a question for the Minister of Community and Social Services to do with the potential closing of the institutions for the developmentally handicapped. I do not want to deal with the fact that with this package he is making a myth of the job security arguments of the five per cent wage controls, but I do want to ask about his credibility in terms of using this money for community projects.

Was it not the case in 1981-82 that he actually provided 319 fewer beds in the community than he had predicted he would, 100 fewer clients with shelter workshops, 1,665 fewer individuals with support projects and 228 fewer with life skills training, therefore saving himself something like $4 million in community projects, according to his estimates?

Mr. Speaker: Question, please.

Mr. R. F. Johnston: Why should people believe the minister is going to use this money for community projects?

Hon. Mr. Drea: Mr. Speaker, the public can rely upon the programs of this ministry in dealing with the developmentally handicapped. I realize it is difficult for the honourable member; he does not know which way to go on this one. The Ontario Association for the Mentally Retarded is waiting out there for him to make his decision.

In the past 6½ years, as part of a deinstitutionalization policy, more than 3,800 developmentally handicapped people have been placed in a community setting from an institutional environment. In the next four or five years, we intend to place 942 more people in a community setting, most of them adults who have been trained to live in a community setting while being in an institution.

That is only possible because of the tremendous expansion there has been in the funding of community programs for the developmentally handicapped. It has gone from $10 million back at the start of the 1970s, when the programs began, to over $91 million now.

We are right on schedule in the placement of the developmentally handicapped in the community and providing them with opportunity. If some projects come on a little bit more slowly and cross over between fiscal year boundaries, it is invariably because the local working group has found some difficulties that delayed something for a short time.

3 p.m.

I am telling the honourable member this because I do not want him crying to me next week that he did not know. The Ontario Association for the Mentally Retarded is wholeheartedly in support of exactly what we are doing. It knows what we are doing, and also that we are not saving money. Over that time we will spend $10 million more than any savings that come by because of a rationalization of an existing system.

Mr. R. F. Johnston: Mr. Speaker, the minister will know that in the estimates this year he projected spending $48,874,000 on accommodation in the community, which is an increase of 47 per cent. Will the minister tell me whether that amount will be met this year, or whether

there is going to be a substantial reduction of that spending?

Some groups have informed me that they have been told the offering is likely to be closer to 10 per cent. Would the minister clarify the position? Does he expect to spend that total allotment this year?

Hon. Mr. Drea: Mr. Speaker, I always intend to spend a total allotment. In the next week or two I will table in the House what we have spent up to this point and what the projections are for the remainder of the fiscal year.

Mr. Riddell: Mr. Speaker, when the minister anticipates closing such model treatment centres as the Bluewater Centre for the developmentally handicapped in Goderich, what is he going to do with those residents there now who cannot find places in a community-oriented setting?

A lot of parents have expressed concern to me. They are wondering if the minister intends to put these people back into the large institutions, which is a retrograde step. What is he going to do about those people?

Hon. Mr. Drea: Mr. Speaker, the Bluewater Centre is a large institution. There are not many bigger.

The placement of those who are unable at this time—and I emphasize "at this time," because there have been such significant advances in training and in medicine that many who today might not be prepared to live in the community will be more than capable in a relatively brief period. These people will be transferred to existing relatively small facilities in western Ontario.

If the parents are concerned that they are all going to be put into a single large institution, there is no such intention. Part of the reason we have accepted in principle, although the details still have to be worked out, the phasing over a prolonged period is to be able to deal extremely humanely with both the parents and the residents who will still have to stay in a facility for a time.

Mr. R. F. Johnston: I guess the minister is finding it hard to understand why I am cynical about this report, except that he will understand it is clear—or is it not clear to him?—that he is trying to save money in the easiest ways, in closing the easiest institutions rather than reducing the size.

Mr. Speaker: Question, please.

Mr. R. F. Johnston: I think that was partly a question. It was an interrogative.

Is the minister not also trying to stop the local planning process by emasculating the working groups in exactly the same way as he has done with the children's services committees, by saying, as he does on page 22 of that report, that he is now going to move to stress joint action to accomplish more specifically defined goals, although he expects the working groups to accept this in the end, although somewhat reluctantly?

Is the minister not now taking the power out of working groups to make the decisions in their own areas, much as he has done with children's services?

Hon. Mr. Drea: The paranoid mind really works.

We are bringing the local working groups of the association for the mentally retarded into a much closer partnership. The member knows that. He also knows that the rationalization program, which will bring into the community another 1,000 people who otherwise would have spent their lives in institutions, is not being done to save money. If I wanted to save money, I might follow his line of thought.

The simple truth of the matter is that over the past six or seven years, relatively few children who are born developmentally handicapped have been entering any type of facility or institution or going into communal care. The ones who are coming into the system are almost in an infirmity situation where they require total care.

Obviously the facilities will be required, but when we have a net loss of 1,500 beds over six years and we are going to have another net loss of 1,000 beds, it does not seem to me to be either humane, practical, progressive or anything else to say that people must remain the rest of their days in a facility just so it will stay open.

USE OF TIME IN QUESTION PERIOD

Mr. Samis: Mr. Speaker, on a point of privilege: May I bring to your attention that we have established a record today? By my calculation, we have spent 47 minutes on the leadoff questions. That is intolerable.

Mr. Speaker: You are absolutely right.

Mr. Roy: Mr. Speaker, part of the intolerance is your natural reluctance to bring into line some of those long-winded ministers over there.

Hon. Mr. Drea: Mr. Speaker, on a point of order: Every question asked of me had five or six parts.

Mr. Speaker: I point out to all honourable members that points of order and privilege do cut into the question time. The member for Windsor-Sandwich (Mr. Wrye) does not agree with that, but it is a fact.

HOTEL FIRE SAFETY

Mr. Spensieri: Mr. Speaker, my question is to the Solicitor General, who no doubt will be aware that the Campbell inquest jury rendered its verdict yesterday and offered 12 recommendations towards the prevention of similar occurrences. Does the Solicitor General have a plan for implementation of these recommendations reasonably soon? If he does, what is his plan and does he care to share with this House a timetable for the implementation of the main recommendations?

Hon. G. W. Taylor: Mr. Speaker, I have just received a copy of the report on the inquest that was completed only yesterday. Actually it has nine or 10 recommendations, some of which are in place already and had been made by other juries.

I must indicate to the member that recommendations from inquests flow, as a matter of course, to the particular ministries or bodies that can correct the situation with which the recommendations are concerned.

There are some recommendations regarding the building code, and there are some regarding the fire code. I bring to the member's attention that the Ontario fire marshal is currently acting upon those recommendations that are within the jurisdiction of the Solicitor General, and when the Minister of Consumer and Commercial Relations (Mr. Elgie) obtains the recommendations that relate to the building code, which is under the jurisdiction of his ministry, I am sure he will act where possible on those.

Some of the other recommendations will be reviewed more thoroughly by the Ontario Commission of Inquiry into Fire Safety of High-Rise Dwellings, under Judge John Webber, which is currently sitting. I am sure he has been following the results of this inquest and that he will apply the information received from the inquest and make more thorough recommendations for the prevention of the same difficulties that arose in this fire.

3:10 p.m.

Mr. Speaker: Supplementary, the member for Windsor-Sandwich (Mr. Wrye)

Interjections.

Ms. Copps: We didn't get a supplementary.

Mr. Wrye: We haven't had a supplementary.

Mr. Speaker: This is the first supplementary to the original question. It stays with the same group.

Mr. Wrye: Mr. Speaker, thank you. If the other party would wait until its turn comes we could get on with this.

If the Solicitor General has those recommendations at hand he will note the first is that the current multiplicity of fire prevention legislation be brought under one ministry. As he knows, there are currently nine statutes which relate to the prevention of fire, cutting across the range of ministries.

Rather than waiting for the other ministries to look at these recommendations, will he immediately consult with the Minister of Municipal Affairs and Housing (Mr. Bennett), the Minister of Consumer and Commercial Relations and those other ministries involved in fire prevention to begin the process of bringing uniformity and centrality to these important regulations so that we do not have to wait for the Webber commission to make its report to do at least that?

Hon. G. W. Taylor: Mr. Speaker, the usual situation is that there is an ongoing review of these particular pieces of legislation. It is being done in the other ministries and we have people reviewing them all the time.

Although there is one recommendation that says if these were all grouped under one particular piece of legislation it might be more satisfactory, I think the ministers involved will be reviewing that and coming to a conclusion as to whether or not this is being satisfactorily enforced under separate legislation.

I am not so sure at this time that there is not adequate enforcement and following of all the legislation even though it is under separate ministries.

Mr. Philip: Mr. Speaker, since the minister's first answer outlined the difficulties of the different recommendations going to different ministries, is it not time for the coroner to have a regular reporting and follow-up system that would report back to the Legislature or to a committee of the Legislature those recommendations that have been implemented by the various bodies and those that have not, and the reasons the various ministries, municipal governments, or whatever, have not implemented certain recommendations of the coroner?

Hon. G. W. Taylor: First, Mr. Speaker, they are recommendations. Some are extremely helpful and can be easily followed up and those

bodies that are concerned with them, be they ministerial, municipal, private or public, can act on those recommendations. There are some on which one cannot. There are some that may require further legislative abilities to carry them out.

In most situations, the coroner receives recommendations, applies them to the particular ministry or private or public body and then there is a follow-up as to whether or not they have been carried out if they are at all feasible.

Also, as the member knows, he can from time to time, during the estimates of this ministry or during question period in this House, ask questions as to recommendations of coroner's juries. I would be only too pleased to inform him what action has been taken on those.

CAMCO INC.

Mr. Di Santo: Mr. Speaker, I have a question for the Minister of Industry and Trade, in the absence of the Minister of Labour (Mr. Ramsay) and 16 other ministers.

Mr. Wildman: He obviously was not your first choice.

Mr. Di Santo: He was not.

Mr. Speaker: Order.

Mr. Di Santo: Well, he was interjecting, Mr. Speaker.

The Minister of Industry and Trade is aware that Camco Inc., a company that has been in Weston, Ontario, since the turn of the century, has decided to move to Hamilton, Ontario, wiping out the jobs of 700 people who have been working there in some cases up to 32 years.

In view of the fact that Camco has received federal aid to move to Hamilton, wiping out the jobs in Ontario, does the minister not think—

Mr. T. P. Reid: In Ontario?

Ms. Copps: Hamilton is in Ontario.

Mr. Speaker: Order. Proceed, please.

Mr. Di Santo: Weston, Ontario—does the minister not think this government should do something to prevent the closure of a plant which has been very much part of the community for so many years, instead of destroying jobs in one place in order to move the jobs to another place without any guarantee they will be there for a long time? Is the government determined at this point to oppose the federal government's aid to that company?

Hon. Mr. Walker: I am sorry, Mr. Speaker, but I missed the first half of what the member was saying. I would appreciate it if he would repeat at least that part of it. I got the essence of the question but I do not have the name of the company he is referring to.

Mr. Di Santo: Camco.

Hon. Mr. Walker: Would the member tell me another paragraph so I understand what he is saying?

Mr. Di Santo: The minister, like many other MPPs, must have received letters from the workers at Camco, a company owned by General Electric and GSW. The minister should be aware that the company is moving to Hamilton from Weston, Ontario. I am asking him if he thinks taxpayers' money should be used to help this company rationalize its operation, wiping out jobs in one place supposedly to create jobs in another place?

Hon. Mr. Walker: I am not familiar with the precise details involved in the movement. I would like to get the benefit of the transcript. I will review it, refer it to the Minister of Labour and an answer will be forthcoming.

Ms. Copps: Mr. Speaker, on a point of order: Although the Minister of Transportation and Communications (Mr. Snow) on previous maps of Ontario did leave our great community of Hamilton off the map, I did want to set the record straight and let all honourable members know that Hamilton is indeed in Ontario.

Mr. Di Santo: Obviously, the member for Hamilton Centre thinks this is a silly problem—

Mr. Speaker: Question, please.

Mr. Di Santo: —to be treated with levity, but this is a problem that affects 700 people in Weston.

In view of the fact that in this province there is legislation that gives free rein to every possible employer to come in, raid the market and then leave, does the minister not think that in this case the government should ask that company to come before a committee of the Legislature and justify the closure of the plant in Weston, or does the minister, with his philosophy of nonintervention, think he should give the company the right to do whatever it wants until the point where this province becomes like a banana republic where they can come and leave at any time?

Hon. Mr. Walker: Yes.

FRENCH-LANGUAGE SCHOOLS

Mr. Boudria: Mr. Speaker, I have a question for the Minister of Intergovernmental Affairs, in the absence of the Minister of Education

(Miss Stephenson) and the Premier (Mr. Davis), on the report on the governance of French-l anguage elementary and secondary schools.

His government has rejected the report, at least for the time being, and I believe he announced he would establish pilot projects pursuant to the recommendations of the report on the governance of French-language schools if he obtained legal advice that gave him the power to do so.

Could the minister now indicate to the House whether he has received that legal advice, when he intends to implement these projects and how they will function in view of the fact it is too late now to elect anybody to those positions in the November elections?

Hon. Mr. Wells: Mr. Speaker, it is my understanding the Minister of Education has some information on this matter. We have discussed it briefly. While I am sorry she is not here to answer the member's question right now, I think if he were to direct that question to her when she is here, she would be able to answer it fully for him.

3:20 p.m.

USE OF TIME IN QUESTION PERIOD

Mr. Roy: Mr. Speaker, on a point of order: My party colleagues and those of other parties have raised the fact that the leaders' questions have taken some time today.

Hon. Mr. Bennett: Speak to your leader.

Mr. Roy: I hear comment from the member for Ottawa South—

Mr. Speaker: Never mind, continue.

Mr. Roy: I just say that today was a striking example of where it was not the questions that took time but the answers. Mr. Speaker, earlier in the week you dealt with some of us, including myself, who spent so much time on our questions that you interceded. I ask that you would do likewise with respect to ministers, including the Treasurer (Mr. F. S. Miller) and the Minister of Community and Social Services (Mr. Drea) who were, in fact, making statements and taking up too much time instead of responding to questions.

Mr. Speaker: I thank the honourable member for bringing that matter to our attention, and the member for Cornwall (Mr. Samis) for raising it in the first instance. It is a problem and one that has been ongoing for many Speakers, really. I have asked the co-operation of all members in the phrasing of their questions. I have asked the co-operation of the ministers in answering those questions. I think my personal observation would be that perhaps the individual caucuses could come to some kind of agreement. Perhaps their House leaders could exert some influence on the questions and on the answers.

Quite frankly, I have said it before and I do not want anyone to take offence at this, but if you are going to ask a question with two, three or more parts, you are going to get a long answer, as we saw today. In all fairness to back-benchers in particular, the leaders and others should phrase their questions to the main question they have in mind, not a whole bunch of supplementaries at the same time. I would ask everybody's co-operation in doing this.

Ms. Copps: Mr. Speaker, I would like to rise on a point of privilege to address the same issue, if I might.

Mr. Speaker: I beg your pardon?

Ms. Copps: I am rising on a point of privilege to speak to the issue of questions and answers.

I think if the Speaker will look back to the record today it will clearly show that our leader kept his questions short, succinct and to the point. In fact, the respondent, the Treasurer, was travelling all over the map on issues which did not relate to the question.

Interjections.

Mr. Speaker: Just one moment. Order. Would the honourable member resume her seat, please?

Interjections.

Mr. Speaker: That is the problem in bringing these matters to the attention of all members. There are some members who take it personally and take offence. I was not making reference to any particular member. All members are guilty of it, as we have just seen.

Mr. Wildman: Mr. Speaker, I just wanted to find out if you would agree that the member for Downsview (Mr. Di Santo) and the member for Nickel Belt (Mr. Laughren) are certainly short and succinct.

Mr. Speaker: Indeed. Thank you.

Mr. Epp: Mr. Speaker, may I—

Mr. Speaker: No, not on the same thing.

Mr. Epp: Why don't you single out the people who really are guilty so that they and everybody else knows who they are and so it is on the legislative record?

Mr. Speaker: Order, please. I do not think there is any doubt in anybody's mind. Do you want me to keep a report card?

Mr. Boudria: Mr. Speaker, on a point of privilege: I would like to draw to your attention that I feel the privileges of the members of this House were abused yesterday by the actions of the Minister of Municipal Affairs and Housing (Mr. Bennett). In a telephone conversation that I had with the Ontario Housing Corp. I was informed by the corporation that the minister had asked—

Hon. Mr. Bennett: That has nothing to do with it at all.

Mr. Speaker: Order, please.

Interjections.

Mr. Speaker: Order. Will the honourable member resume his seat? I would refer again—

Ms. Copps: I can't believe this. It's incredible.

Mr. Ruston: It is a coverup.

Mr. Speaker: Indeed it is not.

Mr. Bradley: Then let him place the point of privilege.

Mr. Speaker: I did.

Interjections.

Mr. Speaker: The member for Hamilton Centre has a habit of jumping to conclusions and trying to reach a conclusion that I do not.

Interjections.

Mr. Speaker: Order. Would the member for Prescott-Russell (Mr. Boudria) resume his seat please?

Interjections.

Mr. Speaker: Order. He did make his point.

Mr. Bradley: No, he did not.

Mr. Boudria: You listened to the minister interjecting instead of listening to my point.

Mr. Speaker: Indeed I did not. You are impugning my motives. I heard your point of order and it is not a point of order and I ruled you out of order.

Mr. Boudria: It is a point of privilege.

Mr. Speaker: Nor is it a point of privilege. Your privileges were not in any way, shape or form abused.

Mr. Boudria: Yes, they were.

Mr. Speaker: They were not. Just resume your seat please. I heard distinctly what you said. Quite obviously, the other members were paying more attention to this side and I have ruled that you do not have a point of privilege and I have no reason to change my mind.

Mr. Roy: Don't let them intimidate you, Mr. Speaker, especially the minister.

Mr. Bradley: Mr. Speaker, on a point of privilege: We like to believe that you are as fair as possible with members of the opposition. My colleague the member for Prescott-Russell got up. He was establishing a point which was a matter of privilege, that certain information is not able to be obtained from the Minister of Municipal Affairs and Housing.

That was fine. You were listening very nicely and co-operatively to it until the minister said, "That is not a point of privilege, it is a question." At that point, my colleague was asked to sit down. If they will not provide information to members of the opposition as requested, surely that is a point of privilege.

Mr. Speaker: As I said before, I distinctly heard the member's complete point of privilege. I want once again to assure all honourable members that I am not taking direction from anyone. I am making up my own mind in these matters. I will remind the member for Prescott-Russell that it is not my responsibility. I have said that a hundred times and I say it once again.

REPORT

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. Barlow from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bill with certain amendments:

Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act.

Motion agreed to.

Mr. Speaker: Shall the bill be ordered for third reading?

Ordered for committee of the whole House.

MOTIONS

COMMITTEE SUBSTITUTIONS

Hon. Mr. Wells moved that the following substitutions be made: on the standing committee on social development, Mr. Runciman for Mr. Watson; on the standing committee on general government, Mr. Gordon for Mr. Eves, Mr. J. M. Johnson for Mr. Havrot, Mr. Lane for Mr. Stevenson; on the standing committee on regulations and other statutory instruments, Mr. McLean for Mr. Runciman; on the standing committee on procedural affairs, Mr. MacQuarrie for Mr. McLean; on the standing committee on

members' services, Mr. MacQuarrie for Mr. Piché and Mr. McLean for Mr. Runciman.

Motion agreed to.

3:30 p.m.

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Laughren moved, seconded by Mr. Foulds, pursuant to standing order 34(a), that the ordinary business of the House be set aside to discuss a matter of urgent public importance, namely the announcement by Falconbridge Nickel Mines to permanently lay off an additional 500 workers, bringing to 1,500 the total number of Falconbridge workers who will lose their jobs; that since this is in addition to the more than 2,000 permanently lost jobs at Inco, this latest announcement will cause even more hardship in the community; and that since there are some positive and imaginative solutions to the crisis in Sudbury, these proposed solutions should be debated in this Legislature at this time.

Mr. Speaker: I would like to advise all honourable members that the notice of motion has indeed been received in time and does comply with the standing order. I will be pleased to listen to the honourable member for up to five minutes as to why he thinks the ordinary business of the House should be set aside.

Mr. Laughren: Thank you, Mr. Speaker. I do appreciate that ruling. This is the second time this week that I have risen in my place to attempt to have the ordinary business of the House set aside to discuss the problems in Sudbury.

On Tuesday, Mr. Speaker, you ruled that it was not an emergency, that indeed it was not even in order, and that it would be repetitious. I would put to you that it will not be repetitious. We have some new proposals to put before this chamber and we are very anxious to do so.

The government House leader indicated then: "If we were just going to be dealing with some fairly trivial piece of legislation today, perhaps it would serve our purpose well to debate it here again. But we do have the windup of an important debate. . ." We do not have Bill 179 before us today, and I hope very much that all members in the House will agree to have this debate.

On Tuesday, I moved the motion on the basis of an Inco announcement that they were extending their shutdown for three more months to April 4, and were reducing their work force by three per cent a year for five years, all this on top of already announced layoffs of over 2,000. Today, I move this motion because Falconbridge has announced that it intends to further reduce its work force by 500, on top of the 1,000 previously announced.

I have always felt that emergency debates are to bring before this chamber matters of urgent public importance. Surely a major community in this province with an unemployment rate of between 32 and 40 per cent is an urgent and important piece of business. It is the highest unemployment rate in Canada. Unemployment insurance benefits are running about $15 million a month in the Sudbury district now, and welfare is around $1 million a month. Not only that, between 2,000 and 2,500 new unemployment insurance claims are coming into the Sudbury office every month. That is spinoff; that is not from Falconbridge and Inco, because they are already recorded claimants.

When the last debate was allowed a month or so ago, we did not have the kind of material that my colleague and I have prepared and that we would very much like to debate in this chamber. We prepared a document entitled A Challenge to Sudbury, which we have sent to all of the various levels of government and to the business and union leaders in the Sudbury area. We think this document should be debated in this chamber because, if it is adopted by the government, this document will give Sudbury a brighter future. I have absolutely no doubt about that.

This government, on the other hand, has not proposed its solutions. So not only have they not proposed their solutions, they will not even debate our solutions. How does that make any sense in a community like Sudbury?

What is the role of the opposition if it is not to bring forth constructive, imaginative proposals that the government can look at and we can debate here in this chamber? We really do want to engage in a serious debate, and we believe the government has an obligation to do so as well.

On Tuesday, I was quite angry, quite upset, when the Speaker ruled against our motion and we felt compelled to challenge it. I was really struck by the behaviour of the member for Sudbury (Mr. Gordon). I hope he will stay for the debate today, that he will stay for any kind of vote that occurs on this motion. It is one thing for the member to vote against it and to vote for his party, and another thing to vote against us; but he did not have the courage to do either. That is the way a chicken behaves. That is not how it should be.

To make it worse, the member for Sudbury

went out and said to the media that the New Democratic Party members were grandstanding by attempting to have an emergency debate. If ever there was a master of grandstanding, it is the member for Sudbury, not the members of this caucus. I could tell a story about how that member had a cheque reissued, reprinted, so that he could present it a month of so after it had already been presented to the Sudbury Science Centre.

Mr. Speaker: To the motion, please.

Mr. Laughren: Back to the motion. Mr. Speaker, I believe in this chamber we have an obligation to use every legislative means at our disposal to debate the problems in the Sudbury community. All we are asking for is a chance to do that. I can assure the members that what we intend to place before the chamber has not been placed before the chamber prior to this date. We would very much like to do so this afternoon.

Mr. Van Horne: Mr. Speaker, once again I rise to support the motion presented by the member for Nickel Belt. We are starting to sound like an old record that gets stuck and keeps repeating itself.

The situation we have before us today is one we are all too familiar with: first with Inco, then Inco again, now Falconbridge. I think it is timely to reflect on what has not happened in terms of action by the Conservative government of Ontario.

I do not think there is a citizen in this province who would quarrel with the observation that Ontario was one of the most prosperous communities in North America in the post-Second World War years, particularly at the time of the leadership of the late Premier John Robarts. No one in this chamber would quarrel with the prosperous Ontario of the 1950s and 1960s and the early 1970s.

What was left by that Premier when he retired from office, what was passed on to the new Premier (Mr. Davis) and his new cabinet was the challenge of accommodating the needs of Ontario at a time when things started to toughen up.

I do not think there is any question in any member's mind that the toughening up started to happen a little earlier in northern Ontario than it did in southern, eastern or southwestern Ontario. But toughen up it did to a point where some minor recognition was made with the appointment of a new Northern Affairs minister. Some lip service was given to the problems of the north by the initiation of a few new studies. In spite of what the Minister of Natural Resources (Mr. Pope) said on Tuesday about studies, nothing has come from them, nor has anything come from this government, its Premier and its Minister of Northern Affairs (Mr. Bernier).

Nothing in the way of hope has come for those single-industry communities of the north which are treated by this government as a colony would be treated. Colonial status is something the north has known for a long time. Until something concrete is done, something that will give hope to the people of northern Ontario, none of us in this chamber will have done his job.

3:40 p.m.

I support the motion of the member for Nickel Belt. In one of my earlier comments on this same theme of the emergency of the north, I reminded him that I and my colleague the member for Windsor-Sandwich (Mr. Wrye) not only supported the needs of the north through our debate here in the Legislature, but in June of this year we attempted to sit in on a meeting of the local members and the union representatives in Sudbury. We were refused access to that meeting where we had hoped we might learn a little more and be able to provide some extra input.

If the opportunity to do that arises in the future, and I am sure it will, I hope the member for Nickel Belt and his colleagues from Sudbury will support our presence because we feel we too have something concrete to offer in terms of solutions.

Mr. Speaker, if you rule in favour of this motion, I will elaborate on some of the points of the policy of the Ontario Liberal Party which we feel are viable in providing direction or assistance for the needs of northern Ontario communities, like Sudbury, which are so reliant on a single industry.

Hon. Mr. Wells: Mr. Speaker, I was just reading over the comments I made on Tuesday. I notice I commented particularly on the regional chairman Tom Davies, the group he put together and the kind of work he is doing. It has since been reinforced for me that the job he is doing is an effective one. As I indicated to the House then, this government stands ready to work with him in whatever his committee comes up with for some long-term achievable objectives to help with the problem there.

My comments about that committee have been reinforced by the subsequent talks I have had since Tuesday with the member for Sudbury.

I think the members will recall I indicated that having the member for Sudbury in our caucus was worth 15 debates in this House. That comment still stands.

I think it is particularly relevant when one reviews the record of the work and co-operation that went on between the then mayor of Sudbury, Jim Gordon, and this government 2½ years ago to create jobs and programs in Sudbury. What this all leads up to is that this government has always been concerned about any problem anywhere in this province, and it is concerned about the problems in Sudbury.

On Tuesday I said perhaps it would serve our purpose to have this debate, but not on Tuesday. I think my friends over there know, and I am not going to tell them, why Tuesday was not the time to have the debate. They know why and so do my friends in the Liberal Party.

I have talked with the member for Sudbury. He has always wanted this debate, but he understood why we could not have it on Tuesday. The member for Sudbury has indicated he would like to have this debate, as all of us in this party would like to have it. That presents us with a bit of a problem, because on Tuesday we respected the Speaker's ruling, which I believe was right. I would not want to have the holding of this debate set a precedent for this House under our rules.

Mr. Speaker, I submit that since all are in agreement, at this time perhaps we could assume we have the unanimous consent of all parties to waive that particular section of standing order 34. If, in your wisdom, you find because—

Interjection.

Hon. Mr. Wells: I am sorry.

Mr. Breaugh: We are convinced now.

Mr. Speaker: Order.

Hon. Mr. Wells: We would be pleased to waive rule 34(b)(iv) with the unanimous consent of the House. Therefore, that gives an opportunity, because all parties in this House are willing to allow the debate to go ahead, to allow the Speaker in good conscience to allow it to go ahead. I would leave that in your hands, sir.

Mr. Speaker: This presents us with a very interesting situation.

Mr. Roy: Legal gymnastics.

Mr. Speaker: Perhaps.

I just want to make it very clear that whatever is decided should in no way be accepted as a precedent. I have listened carefully to the arguments put forward by the honourable members on both sides of the House and—

Mr. Wildman: You had to listen carefully to the House leader.

Mr. Speaker: That is the kind of comment that really does not add anything to the standing of the member nor to the House itself.

I would just draw the attention of the member for Nickel Belt to 34(c)(iv) in the standing orders. I will read it out, "the motion must not revive discussion on a matter that has been discussed in the same session under this standing order."

Quite clearly, that can be countermanded by unanimous consent and only by unanimous consent can the House decide. Therefore, I am going to ask the House to make the decision on whether this debate goes forward and whether we do have unanimous consent for the debate.

Motion agreed to.

Mr. Speaker: The debate shall proceed.

Hon. Mr. Wells: On a point of order: Could I just correct the record and say that 34(c)(iv) was the rule I was pointing out. I think I said "34(b)(iv)" several times.

Mr. McClellan: Get it right for the precedent.

Hon. Mr. Welch: No precedent.

UNEMPLOYMENT IN SUDBURY

Mr. Laughren: Mr. Speaker, I did want to make one point before I start: namely, that we want this debate not simply because it can be found to be in order in some way, but because there is an emergency in Sudbury and we should be talking about it here.

I am very pleased the members have given unanimous consent for a debate this afternoon. We have tried on many other occasions to resolve the long-run problem in Sudbury, and we have had everything from select committees to emergency debates to government reports. It is as though the government is mesmerized by the whole idea of planning and cannot get on with it. They see the words "plan for the future," and they go into a comatose state. They simply are not able to do it. I guess it is because the government somehow equates planning with socialism. Maybe that is what is bothering them.

Maybe they see planning as meaning too much intervention; I am not sure. But individuals plan, corporations plan, so why should the public sector not plan? We have simply got to plan. We cannot continue to accept the kind of roller-coaster economic ride that a major municipality like Sudbury is put through every few years. It is totally unacceptable.

There was a day when in the Sudbury basin we controlled about 90 per cent of the western world's supply of nickel. We think of what we could have done. But even in those days when the government was told about it, it said, "No. The private sector can do it best." We would not be in this mess now if we had taken action before, and the government was told about it many times by many people. We have asked, we have pleaded and we have demanded a varied economic base in Sudbury. The dangers are obvious if we do not build a varied economic base.

3:50 p.m.

We have a choice to make now. We can get on with private-sector-led initiatives, the way it has been done in the past, or we can do some government-led economic planning by both the private and the public sectors. But the private sector is not going to take the lead in working with government; government has the responsibility to do that.

We are saying that the choice should be clear. If we leave it up to the private sector again and again, it will be like driving into the future by looking into a rear-view mirror, and that is simply not good enough any more. We can expect intermittent unemployment, shutdowns, layoffs, a declining work force, a continuation of the export of our raw materials and the importing of machinery. That is what private sector initiatives have done for us in northern Ontario and in Sudbury in particular.

Sudbury will forever be known by its image. Sudbury's image will change when the reality of Sudbury changes, not before. You cannot buy an image; you have to change the reality first, and that means economic planning.

That is why, about three weeks ago, my colleague the member for Sudbury East (Mr. Martel) and I held a press conference in Sudbury in which we presented what we like to call a challenge: A Challenge to Sudbury. That challenge to Sudbury had two major thrusts. One was an integrated nickel complex. The nickel is there, it is going to be there for a long time and we would be silly not to maximize the benefits that could accrue to us from that nickel. But we said to ourselves that this was not enough. This is still being dependent on a resource, so we also need another thrust, which we will call new opportunities, new initiatives, and this is a very important part of our challenge to Sudbury.

We sent a copy of this document to virtually everybody we could think of at both government levels, and if any member in the chamber would like a copy, we would be very happy to provide it. We have asked everybody to respond to us. We have had some responses already—very positive, I might add. We are hoping we will get more, particularly from the two senior levels of government. When we presented the document, we said that we wanted to rebuild the Sudbury economy so we could have a better future, so we would not have to live forever the way we have in the past.

Under the "Integrated Nickel Complex" heading, we relied mainly on existing government reports. These are not ideas we dreamed up in our sleep. Virtually all of these came from government reports. The first proposal, a nickel institute, came from a government report. Resource upgrading and refining came from a government report. The name of the report was, Towards a Nickel Policy for the Province of Ontario. Fabricating, too, was in an Ontario government report. Resource machinery and pollution abatement have been recommended by government. A fertilizer plant has been recommended by government.

Every one of the proposals under the integrated nickel complex section has been presented and recommended by government reports, and the government ignores its own experts time after time. We are saying that enough is enough. It is time to move on, to show some courage and some initiative, and to get on with rebuilding Sudbury.

Under "New Opportunities" we developed four major proposals. We said that not only will these new opportunities create new jobs but they also will make us less dependent on the resource base in Sudbury.

First was an energy conservation and retrofit program, which will provide low-interest loans to home owners in order that they may better insulate their homes. That has a couple of major benefits to it. One is job creation; the other is energy conservation—a very good recommendation. The government now has what it calls a residential energy advisory program, but it is not working. The last time I checked, three Sudbury homes had taken advantage of it, so that program is not working. We say that we should get on with something more substantial.

Second, we say it is time we emphasized food production and processing in the Sudbury basin. There is an agricultural potential in Sudbury that the government does not seem to

stand. They see the problems of the environment in Sudbury and they assume we do not have a potential for agriculture.

That is dead wrong. There is an enormous potential for agriculture in Sudbury. There were years when Sudbury had the world champion potatoes right in the Sudbury basin—excellent crops in Sudbury. I could go on at great length about the agricultural potential there.

Since 1961, the region has lost 79,000 acres of agricultural land. That is at a time when the population is not even growing. It is not as though we are going through a period of massive expansion in the Sudbury area. We are not.

Third is a health-care import replacement program. We think Sudbury should have its share of replacing the tremendous amount, over $7 million, that we import in medical supplies into this province. Sudbury could have its share of producing those health care supplies. Again, we think that would get us away from dependence on the resource industries and it would be a very useful thing to do, both socially and economically. There is nothing radical about it, and it should be done.

The fourth major new initiative was an institutional import replacement program. When I was working on this particular recommendation, I was reminded of the Liberal member for Prescott-Russell (Mr. Boudria), who made an excellent presentation in here last year—I think it was a private member's bill, I am not sure—when he talked about all the things this government imports that we could be buying and making here in Ontario. It was an excellent and very dramatic presentation.

That is exactly what we should be doing in the Sudbury area. We are talking now about the supplies, equipment and furniture that public institutions use. That could include some high-tech equipment as well. We are saying Sudbury should get its share of that.

Those were the major recommendations in our document, A Challenge to Sudbury. There is nothing in there that the government should find ideologically offensive. We believe these things will be achieved when the resources are in the public sector. We believe that very strongly. But the government will notice as well that all these proposals could be done under its economic system. That is why it has an obligation to respond to those proposals. There is nothing in that document that should turn government members off, that they could reject out of hand. This was done very deliberately to make sure they could live with the proposals. And we would ask them to keep that in mind that most of them come from government reports.

Also, surely they will admit that the private sector has not given us balanced growth in the Sudbury economy, and is unlikely to do so in the future. There is no indication of that whatsoever, so let us get on with it, with publicly led initiatives.

Mr. Van Horne: Mr. Speaker, I spoke just a few moments ago in support of the motion. In my comments I indicated that we too, as a political party, have some suggestions to pass on to the government from time to time, suggestions we hope will strengthen the economic viability of northern Ontario.

Before I mention the specifics of our proposals, I want to reflect on the four points made by the member for Nickel Belt. He indicated that energy conservation was something that could be implemented very quickly and would be very helpful to the people of the north.

I remind all members that during the 1981 campaign, our candidate from Parry Sound had some very interesting suggestions to pass on to the people he was running against and to our party. He chose to run for our party in the firm belief that the north had the resources necessary to make available to itself and to the rest of the province the energy, the energy source and the spinoff for one of his projects that would assist the agricultural industry.

The member for Nickel Belt mentioned that ideologically he could not see any quarrel coming from the government side on any of the four points he made reference to—the other three, aside from energy conservation, being food processing, the medical and health care supplies industry and an institutional import replacement policy.

4 p.m.

Dealing with the fourth point, the member for Prescott-Russell made an excellent presentation in this chamber, pointing out that the government of Ontario and, indeed, most provincial governments, as well as the federal government, import an awful lot of their supplies either from the United States or Europe and, in some cases, from Asia. There is no question there is a market here that we could accommodate with many of our own resources. I want to add to the observation of the member for Nickel Belt (Mr. Laughren) that not only the government but also all members of this chamber

should find this acceptable.

Shifting from that to an observation that has been made before about the particular problem in Sudbury, that which relates to the mining industry, we have reminded the government on many occasions that Ontario law says all metals mined in this province must be refined completely in Canada. Yet the Conservative government in Ontario has passed hundreds of exemptions—in fact, since 1974 the exemptions are in excess of 70—allowing millions of pounds of semi-precious metals out of this country to provide processing jobs elsewhere.

That is a point to dwell on. It is not just a matter of those people who are out of work, those people who previously had been working with Inco or with Falconbridge. We are talking about the need to find additional jobs for people in northern Ontario through new industry. Certainly the government of Ontario has missed an opportunity here.

What is happening is that those people who have a little degree of mobility in their life are not staying in the north. The population growth factor in the north is virtually zero, because people are heading to other provinces or to the southern part of this province to find employment. It is critical, then, that Ontario start demanding of the mining industry that processing be done here in Canada, so that jobs will grow here in Canada.

The law I have referred to is, for all practical purposes, almost nonexistent. Of the metallic minerals mined in Ontario, about 30 per cent of the zinc, 33 per cent of the nickel, 100 per cent of the platinum group metals, 38 per cent of the lead, 17 per cent of the iron ore, 11 per cent of the cadmium, 10 per cent of the copper and 55 per cent of the cobalt are processed outside Canada.

A Liberal government in Ontario would initiate action in the area of mining by creating a separate mining ministry and by establishing a comprehensive mineral policy for the province. We would also negotiate a federal-provincial agreement on resource taxation, with a reasonable ceiling on total taxation, to stabilize that system. This would replace the present process of budget-by-budget changes in taxation.

Another thing we would suggest would be the financing of junior mines in Ontario which would be encouraged by means of a revision of the Ontario Securities Commission regulations. Furthermore, to encourage mining exploration, more airborne geophysical surveys would be carried out on geologically favourable areas for the use of mining companies.

Also, we would insist on increased secondary and tertiary processing of ores mined in Ontario. And, as part of an Ontario industrial strategy, we would develop a mining machinery industry based in northern Ontario.

These four or five suggestions I have made deal strictly with the mining industry and address themselves particularly to the problems that Inco and Falconbridge are facing.

We could broaden out in the area of food processing, as the member for Nickel Belt suggested. Again, I do not think it is any secret that on many occasions our party has spoken of the need to develop the whole agricultural industry in the north. It is viable. The problem is that nothing much has been done.

I mentioned earlier in my response to the motion that a golden opportunity was missed in the post-war years of the 1950s, 1960s and even the early 1970s. It was the opportunity that comes with being flush or affluent, as we were. Money was available for developing schools, adding to hospitals, developing a community college program and expanding universities. But what did not happen, and where the government has to accept some blame, was that it did not take that full bank account and put something away for the rainy day we now see.

The government did not take the opportunity to get into the development of an industrial strategy for northern Ontario. It did not do anything to improve the transportation situation in northern Ontario. In other words, the government blew it.

What I am suggesting by making reference to some alternatives that our party has—and I have stressed mainly those alternatives in the mining area—is that this is a starting point; this is building on something we have. There is no problem with our minerals; there is a problem with the market. I am also saying there are other problems in related industries that have been overlooked.

It is the government's responsibility, having heard time and time again that both we and members of the third party do have some viable alternatives, to respond today and tell us whether it thinks these are viable and what it has that might be better. We want to hear from it.

The people of northern Ontario do not want to hear about studies. They want to hear something positive. The opportunity is here this afternoon, through the member for Sudbury (Mr. Gordon), a former mayor of Sudbury, and through the Minister of Northern Affairs (Mr.

Bernier), to put something concrete on the table. Let us hear from this government what the plan is for northern Ontario.

Hon. Mr. Bernier: Mr. Speaker, I must confess I am most pleased to enter into this debate. I am particularly pleased that the House gave unanimous consent for what I think is an important discussion.

It is not the first time we have discussed the problems of Sudbury in this House to some extent. As the government House leader has pointed out, we on this side are very deeply concerned about the problems related to the loss of jobs on a temporary basis, indeed on a permanent basis, in the Sudbury basin. That concern has been expressed a number of times in a number of different ways. In fact, my colleague the Minister of Natural Resources (Mr. Pope) is in Sudbury this very day dealing with that issue and working very closely with that community to try to come up with some resolutions, however difficult they are.

As the member for London North (Mr. Van Horne) pointed out, we have to realize that we are in some difficult economic times because tonight we will see "strike 3" on television. The Prime Minister of this country will go before the nation for the third time in three days to express and impress upon us the seriousness of the economic situation in this country. Of course, he is asking for the faith of the nation and for it to pull together.

I have lived in northern Ontario all my life. I have gone through the cyclical nature of a resource area. We have had our ups and downs. We have survived. We have come through it. We have built the north. I am not concerned about the future. I have real faith in the future. I know there is faith in the Sudbury basin, plenty of faith.

4:10 p.m.

Just the other night, the Premier (Mr. Davis) held a fund-raising dinner in Toronto at the Harbour Castle. Several thousand people were there for a $200-a-plate dinner for the Tory party. How many people from Sudbury were there? There were 43 people who flew down from Sudbury. I had the pleasure to be in their midst. They were very positive. They said, "We are going through some difficult times, but we have survived before and we have come through before." It was a positive note I heard from that group. I was pleased that it was a very positive attitude.

We have moved forward in a very positive way. We cannot forget the successes we have had in the recent past with the Sudbury area. It was 2½ years ago when we had that very long strike and the government of this province responded, with the support of the members of the Socialist party, by turning the sod for a $10-million provincial building. How they cheered, how they were pleased that we created those jobs on such short notice for the Sudbury area. We moved very quickly, as we have done in a number of different areas.

We have worked with alternative import substitution. The honourable member has mentioned agricultural import substitution. Those studies are all done. They were done by my ministry well over two years ago in five major areas.

Mr. Laughren: Exactly. That is my point.

Hon. Mr. Bernier: The government does not run farms. The only thing is that it is there.

Mr. Laughren: You are not doing any more on them.

Hon. Mr. Bernier: We are not going into any more studies.

The Acting Speaker (Mr. Cousens): Order. Each member has the opportunity of participating in the proper way.

Hon. Mr. Bernier: We have the information and we will certainly move ahead in a very positive way. Just a couple of years ago, when we were going through these very difficult times in the Sudbury basin, the community responded in a very positive way and formed the 2001 development organization, which some of the members opposite laughed at, jeered at and made some snide remarks about but never really discussed in this Legislature because they were on the board of directors. Remember the three members from Sudbury?

Mr. T. P. Reid: Tell us about the sheep farm.

Hon. Mr. Bernier: We will tell the member about the goat farm in a minute.

They came to us with a very positive and reasonable approach to try to diversify the economic base of Sudbury. The present member for Sudbury was supportive of that thrust. No longer do we want to be dependent totally on the Falconbridges and Incos of the day. We want to diversify our economy, and they are doing that in Sudbury, but the members opposite do not point that out.

I ask the member for London North, when was the last time he was in Sudbury and how long did he stay? It was not very long.

Mr. Van Horne: Mr. Speaker, on a point of privilege: The minister and his colleague the Premier make references to my visits to Sudbury. I know the minister is not trying to get personal, but I might have to remind him of my sister, who is a native of Sudbury and has been for 25 years. I have visited that community on at least half a dozen occasions within the past few months on personal family matters, which are really none of his business. I resent the innuendoes that I never go there. The length of my visits is none of the minister's concern.

The point is that if the minister wants to pursue the matter and to do it in a fair way, then I will confide in him; but I do not think it is fair for him to make that kind of innuendo.

The Acting Speaker: I thank the honourable member, and I ask the minister to respect the personal privilege for which the member has asked.

Hon. Mr. Bernier: Mr. Speaker, I am pleased that the member for London North is the critic for northern Ontario. I am sure that by the time this parliament is over, he will be very well educated on northern Ontario; I will see to it that he is. I will do everything I can to make him better informed of the problems of northern Ontario and the things we are doing.

The Minister of Natural Resources made some comment yesterday about his efforts to try to cope with the problems of unemployment in the Sudbury basin. He mentioned the Board of Industrial Leadership and Development committee and what it was doing, and grants to Cambrian College and Laurentian University. He mentioned the four local seeding nurseries; there is $10.8 million in that project alone.

The minister also mentioned BILD's thrust to establish a resource machinery development centre in Sudbury; that is on the way. That is not a study, as the member for London North has pointed out. This is what we will do. We are doing it. We are not planning it; we are moving ahead with it. It is a fait accompli, and it will answer the problems of creating some resource machinery manufacturing centres right in the Sudbury and northeastern Ontario regions.

Nobody mentions the things that are happening in the Sudbury area. The Sudbury Science Centre is moving ahead. There is the cancer treatment centre, which is also moving ahead and which will make Sudbury a major medical referral centre in the years ahead. There is the air ambulance centre, which is now stationed in Sudbury. I had the pleasure of being in the Sudbury area recently with my colleague the member for Sudbury to officially open that modern ambulance hangar, which now has a dedicated air ambulance helicopter stationed there with room for additional helicopters to serve the Sudbury basin. These things are all positive.

We recently assisted the region and the Ministry of Tourism and Recreation in jointly funding a tourism study which was just approved last week. That was another $20,000 for that study, which the local people wanted and to which we responded.

I point out to the members that much is being done. We are not one of those parties that believe a grand industrial strategy is the be-all and end-all for the problems of northern Ontario. We have been dealing on a very positive basis.

I point to the Atikokan story. The member for Algoma (Mr. Wildman) was with me in Hornepayne last Friday. That is a single-industry community. What has this government done for Hornepayne? There is a $12.5-million town centre which has really made that community, and the lead ministry was the Ministry of Northern Affairs. Pickle Lake is another one. We will do the same thing in Sudbury; I have every confidence we will. I make the commitment that the Ministry of Northern Affairs will be up front and centre.

In dealing with the local people, as the government House leader pointed out, we are working very closely with Tom Davies, the regional chairman, who is pulling together the entire community, including the local members, be they from the New Democratic Party or the federal Liberal Party.

Let us not forget who our representatives are in Sudbury now. The people of Sudbury have responded and have sent a Tory member down here. They threw out one of that party's members. They threw out its federal member, Mr. Rodriguez. They replaced Mr. Rodriguez with the person who is now Minister of State (Mines and Status of Women), Judy Erola, who is very concerned. They also changed horses and have Doug Frith there, who was regional chairman.

There are many positive signs on the horizon. There are positive things happening in Sudbury today. We will move ahead, and we will resolve the problems of the Sudbury basin with the strong support we have from the member for Sudbury, who is very positive all the time.

Mr. Wildman: Mr. Speaker, I must say I am somewhat disappointed with the contribution to the debate from the Minister of Northern Affairs

(Mr. Bernier), because we approach this debate from a very serious standpoint.

I want to make clear that, from our point of view, this is not an attempt to have a talkfest or some kind of a rant against Falconbridge or Inco but, rather, to talk about the positive alternatives that have been presented by my colleagues the member for Nickel Belt (Mr. Laughren) and the member for Sudbury East (Mr. Martel) to deal with the present economic crisis we face in Sudbury, which is experiencing the worst unemployment in the country today.

It is our position that we must have an economic program. There must be economic planning to deal, first, with the short-term problems and then with the long term. I understood the Minister of Northern Affairs to say he does not believe in what I think he called grand industrial strategies for northern Ontario but, rather, he believes in specific individual projects, such as the one he mentioned he attended on Friday in Hornepayne.

4:20 p.m.

While individual projects and initiatives are started by this government in good faith because it wishes to try to bring about new facilities for communities and even to produce some jobs, I want to emphasize our belief that unless there is a wider economic approach by the government, we are going to continue to rely on the private sector for the production of jobs in northern Ontario. In our view, it is this reliance on the private sector that has brought us to the situation we face in the resource industries not only in Sudbury but also throughout northern Ontario. We have unbelievable unemployment and an enormous increase in just one year throughout the north and especially in Sudbury.

In our view, the response of this government to our economic problems has been wholly inadequate. To argue that wage controls in the public sector are somehow going to deal with the unemployment problems we are facing today is to completely misunderstand the economic situation we face. We believe that we must have economic leadership and that this leadership must be provided by the government. We have been dependent on the private sector for too long, and this has led us to the situation we face at present.

We have to create jobs. I cannot accept the position the Minister of Labour (Mr. Ramsay) expressed just last week at a meeting he and I attended in Sault Ste. Marie, that wage controls in the public sector are the answer, that we must all learn to accept less from our economic system, that we must restrain our demands and that somehow by controlling the public sector in particular we are going to produce the jobs we need in the private sector. That is just ridiculous.

A young steelworker got up at that meeting and said to the Minister of Labour: "Mr. Ramsay, I am a member of Local 2251, United Steelworkers of America. I work for Algoma Steel. I have been laid off for some time. The reason I am laid off is that we are not selling steel, and the reason we are not selling steel is that people do not have enough money or do not wish to purchase automobiles and appliances; so those manufacturing firms are not operating at full capacity and they are not buying our steel. How is restraining public sector wages, taking money away from some people who have jobs, in any way going to help me to get my job back?"

Frankly, the Minister of Labour had absolutely no answer for him. In our view, it is a choice between reliance on the public sector and reliance on the private sector.

The Minister of Northern Affairs has indicated that although he is and will be involved in projects in conjunction with the private sector or completely on the part of the government itself, in certain areas of the north the main responsibility for economic development and for bringing us out of the hole we are in is with the private sector. We believe that is inadequate.

I cannot accept the response of the Minister of Natural Resources, who gets up time after time and talks about the short-term jobs he is helping to create in northern Ontario along with the federal government. I do not doubt that the 4,000 people in the Sudbury basin or the other people in the woods industry communities in northern Ontario who have jobs as a result of that program are happy. They are certainly happier than they would be if they were simply on unemployment insurance; I do not doubt that. But the point is that this does not produce any long-term outlook of recovery for those communities. It is simply treading water. It is preventing a drowning man from going under, but it is not getting him out of the water.

The Minister of Northern Affairs basically tells us that we should have faith. If I listened carefully to his speech, that is what he said: We have got to have faith; we have got to be positive. He said "positive" over and over again. I was happy to hear him say he did not want to have further studies; then he went on to men-

tion a study on tourism. But he did not want to have further studies. We accept that.

Interestingly enough, the proposals that were made by my colleagues from the Sudbury basin in A Challenge to Sudbury were taken mainly from the studies that have been completed over the past few years by this government or by legislative committees. They are not proposals they have just pulled out of the air and made up on their own. They are ones that have been drawn up largely by studies commissioned by this government. What we are asking now is for some action on those studies' proposals. I would like to know how many jobs have resulted and what has been done since those studies have been produced. There have not been very many jobs, certainly.

I want to deal with one particular aspect of the proposal made by my colleague for an integrated nickel complex; that is, the resource machinery industry. We have heard a lot of talk about that in this House. Some people may say: "Why are you talking about the resource machinery industry at a time when you have enormous layoffs in the mining and lumber industries? If people are not working, the industries are not going to purchase machinery anyway."

There are some bright lights. Some resource industries are still operating in northern Ontario. There certainly is a market, and in the long term there is going to be a major market, for mining machinery in northern Ontario. I am sure Canada will maintain its position as one of the largest producers of minerals in the world.

As we have said before in this House, Canada imported more than $700 million worth of mining machinery in 1981. This represented an increase of more than 200 per cent in six years. In 1980, we had a deficit of $590 million in the value of production, which meant we would lose about 7,000 jobs.

I would like to know whether someone from the government side can tell us in this debate what exactly is happening with the resource machinery institute in Sudbury. Is that to remain a political football between the federal and provincial governments over funding, or is it actually going to produce something? Is it going to be more than just an institute with 19 jobs? Is it actually going to become what it should be, a public corporation that will actually produce the machinery for which there is a market for production of the numbers of things that are listed on page 7 of this proposal by my colleagues from the Sudbury basin? I certainly hope it will.

For it to do that, we believe the Ontario government must become directly involved in the marketplace in an active way, and not just leave it to the private sector as has been reiterated, in his blind faith, by the Minister of Northern Affairs.

We believe that there are opportunities in Sudbury, even in these bleak times, and that we could create new jobs. We must have a government, though, with the will to institute the economic measures necessary to bring about true economic growth, and not just short-term jobs. It is up to the government to take advantage of the tremendous market that will be available when the resource industries rebound. Sudbury is an obvious place to produce those kinds of machines.

The New Democratic Party has made its position very clear. We have been as positive—to use the minister's word—as we can. We have put forward proposals. What we are waiting for is action from the government.

4:30 p.m.

Mr. J. A. Reed: Mr. Speaker, the crisis concerning the city of Sudbury, which we are addressing in the debate this afternoon, is really only one more manifestation of the problems of northern Ontario, which have been realized even more acutely during the past 12 months or more.

I was in northern Ontario last November, almost a year ago, to see firsthand the acute problem of the over-reliance on one industrial source. When the market for the produced goods dries up in some other part of North America or in this province or in Canada, then depression or recession comes to a community, even though the rest of Ontario may appear to be buoyant and prosperous. That is really the core of this debate.

What we are dealing with is not just a crisis of the layoffs that have taken place, but the long-term challenge that involves people in the Sudbury area who will not have the opportunity to go back to work in those mines should those mines be reactivated. It seems to me that if we are going to be thoughtful and constructive about what we are going to do, we have to understand that the work has to be done now to prepare for that diversification.

In recent years, as Energy critic I have had the opportunity to discuss in this Legislature some of the areas of diversification that northern Ontario might enter into. Contrary to my

Socialist friends, I do not believe the answer lies solely with government intervention or government participation. I believe that the private sector has a very dominant role to play and that entrepreneurship has a dominant role to play.

What I am concerned with is the fact that government in many instances is interfering with the private sector's ability to fulfil its role, and it is not undertaking to identify the areas where it does interfere and prevent the full potential of the private sector.

I might add that it is no longer going to be satisfactory for the government to bask in the sunshine of ribbon-cutting ceremonies. Municipal buildings, as important as they are, are no longer enough.

It seems to me that in a time of economic crisis, one of the things we should look at but we are not looking at now is those areas of resource development in northern Ontario which we can address through the encouragement of capital expenditure and which have known markets. That is the revenue-producing kind of expenditures that are still available to us in the north, even in this time of great economic constraint.

As a way of suggestion to the government, I want to outline a few of those areas which should be given the most serious and immediate consideration.

As I said, I had the privilege of being Energy critic for six years, which allowed some hands-on exploration of the energy and resource potential in Ontario. It seems to me that through perceived economic consideration and through perceived political consideration, we have chosen not to properly develop or exploit all the resources, both renewable and nonrenewable, that are available to us and that have markets here in the province.

We are still bringing in from outside the borders of this province approximately $11 billion of energy products a year. Such an incredible figure has to be looked at with a view to being replaced by indigenous energy resources coming from the north, and it can be.

It is not enough to say simply that we have uranium mines and so on. We know that we need a diversification of energy, we know that a lot of the diversification is available to us from Ontario products, and we know that the markets are there for us. We simply have to get on with the job.

I talked about the obstacles to development, and I am glad the Minister of Northern Affairs is here to listen to this, because there are bureaucratic obstacles to entrepreneurial development that remain. The obstacles are not fully identified, and they are not fully addressed; they also exist in the companion ministry, this Ministry of Natural Resources. As Natural Resources critic, I often sit here with great frustration because those obstacles are not being addressed and removed.

If we want to talk about employment that can produce revenue, let us look first at one recognized subject, hydraulic development in northern Ontario, which Ontario Hydro, the Ministry of Energy and the Ministry of Natural Resources all agree is a good thing. There are sites already under study. There are areas where small hydraulic development is necessary in remote areas of northern Ontario, and that capital construction can provide jobs and produce revenue. Both those things, if they go together, can spell some economic recovery, whereas the construction of a nice facility to do something may not produce any revenue whatsoever.

I look at the utilization of wood waste. One company, BioShell, established a pilot plant in northern Ontario. The Ministry of Northern Affairs ran a water line from the town of Hearst over to the BioShell plant. It ran the water line, but that is all it did, and there is a lovely big three-coloured sign at the end of the Bioshell lane with the honourable minister's name emblazoned across it.

What does the minister spend in signs every year? It must be a lot of money. It was great advertising, but the fact is that the BioShell plant developed a reasonably simple technique for utilizing wood waste, something the forest industry has considered to have a negative economic value. It is processing it and marketing it with great success. There is tremendous potential for a domestic market for pelletized wood waste and for the utilization of slash in the forest for that kind of thing.

BioShell now has built its second plant in Ontario. It is going for another one in Mégantic, Quebec. The potential for that kind of development exists now. The resource is there now. It is is a perpetual resource and something that needs to be utilized in order that we may properly reforest northern Ontario.

Hon. Mr. Bernier: Mr. Speaker, on a point of order: I would like to inform the honourable member that Lakehead University has accepted a contract from the Ministry of Northern Affairs to look at the very point he is making, the utilization of the wood waste in our forests. That is a three-year study, and it is moving ahead.

The member might want to get in touch with them.

Mr. J. A. Reed: I appreciate the minister's comment, but, since he mentioned the subject of studies, I wish to point out to him that his ministry did a one-year study of the potential of northern Ontario agricultural markets in 1979. The ministry has never even tabled the results of that study. I do not know whether the minister is going to continue doing that.

If we are to move properly on the road to economic recovery in northern Ontario, we can do it as long as we couple the business of investment with revenue production.

Mr. Gordon: Mr. Speaker, I rise on an occasion that pains many of our people, my colleagues here in the Legislature and the people of Sudbury. Each and every one of us knows the winter ahead will not be easy. The recent announcements by Inco and Falconbridge of extended shutdowns and further layoffs spell a difficult time. However, we must not be overwhelmed by the gravity of the situation.

If there were ever a need for a strong showing of our resilience, our spirit and will as a community, now is that time. It is a time for us as a community to reaffirm those most human values of compassion, concern and consideration. Those of us fortunate enough to have jobs must make use of every opportunity to lend a helping hand to those people suffering from layoffs, to ensure that they have enough food on the table for their families, shelter over their heads and moral support from their friends.

4:40 p.m.

The Minister of Community and Social Services (Mr. Drea) should pay special attention to my people in Sudbury. I also say to the Minister of Energy (Mr. Welch) that none of us in this House, none of my colleagues, wants to hear about people who have been laid off finding that their gas has been shut off in the middle of winter in weather of 40 degrees below zero and having to put up a $200 or $300 deposit to pay a $100 bill.

I say to this House and to my colleagues and to the gas company in Sudbury, which has a very lucrative franchise to make whatever money it wants to make, that they have an obligation as corporate citizens to make sure my people are not ground down by economic circumstances.

I will go further than that, and I think this needs to be brought out in this House for my colleagues to hear. That is the whole issue we have been facing recently with the banking institutions and their approach to the students in northeastern Ontario. This relates just as much to the layoffs as to those people who do not have money today.

At present, Laurentian University has one of the highest percentages of students applying for the Ontario student assistance program of any university. Of Laurentian's 2,600 students, 50 per cent depend on OSAP and 50 per cent of those applicants are appealing for more money. No one needs to be reminded that there were no jobs for our young people in Sudbury. That is something I expect the Minister of Education (Miss Stephenson) and my colleagues on the other side to bring up in this House in future.

I concur most strongly with the mood of the people of my community that all political boundaries must be crossed and all differences set aside so that we are strong in the unity of our purpose. It was because of such unity of purpose that Inco and Falconbridge were forced to reveal their plans.

As I made clear in my speech in the House during the second emergency debate, we have the right to know these plans so that we might take hold and determine our future to whatever extent is possible. I spoke strongly at that time, as members well know, of the unacceptability of the lord-serf relationship between company and employee that we had endured for too long in Sudbury, of the vague generalizations and evasiveness we had met in answers to our questions.

During that emergency debate, I addressed to the Minister of Natural Resources a request for an inquiry that would embrace not only the best use of our natural resources, in particular our mineral resources, but also the options open to us as a community and as a government over the next 10 years and even beyond that.

We need an examination that will bring together the energies and creativity of every sector of our community: education, labour, business, Sudbury 2001, the Sudbury Regional Development Corp., the chamber of commerce, and every level of government, regional, municipal, provincial and federal. They must determine a framework for the future development of the Sudbury basin together.

It is through such an inquiry, which has already begun in Sudbury under the capable leadership of the regional chairman, Tom Davies, and the decisions emanating from that enquiry, that we will find the seeds of our revitalization, the conceived and feasible shape of our future.

The suggestions put forth today by the member for Nickel Belt should be part and parcel of

that examination. We have to welcome all ideas and explore all possible avenues. To date, as I said, I am very encouraged by the actions of regional chairman Tom Davies, Ron MacDonald of Local 6500, Ed Legér of Local 598, Bob Bateman of the chamber of commerce, and other community leaders representing the various institutions, who have been working very diligently in inquiring into realistic steps for economic and social development ever since August when Inco announced its further shutdown date.

Concrete, realistic solutions to our problems mean both short-term and long-term solutions. What is necessary now is to launch every possible work project, backed, of course, by government funding. We must have greater flexibility and extension of Unemployment Insurance Commission benefits, greater flexibility for approved training programs for UIC recipients, adjustments in the requirements for certification of apprentices and work-sharing projects. I hope the federal and provincial negotiations ensuing at the present time will offer these and other avenues and options.

Just as vital, however, is the need for long-term planning, the need for a holistic blueprint of the direction we want our community to take. We must not only build upon our strengths of the past but also expand and diversify. We must develop mining machinery and equipment manufacturing and forestry equipment and machinery manufacturing. When we consider that import penetration in this sector is about 75 per cent of the total Canadian market, the time has come for change.

I must put this challenge out to Judy Erola, Minister of Mines in the federal government. Now is the time for her to come forward with her $1.5 million for a mining machinery factory in Sudbury. The time is now, and I hope my honourable colleagues from Nickel Belt and from Sudbury and maybe even the one from northwestern Ontario will raise their voices about this matter as well. They have been very quiet up until now.

We must change the scenario for the area to ensure that jobs are created in Sudbury, not in West Germany or the US. We must begin to keep our raw materials within the Sudbury basin for refining and processing rather than shipping them, for instance, to Norway and thereby losing the potential for thousands of jobs. We must explore the potential for extraction of other metals, their refinement and processing.

We already have a solid reputation as a medical referral centre for northeastern Ontario. We must do everything possible to expand and move forward the new cancer treatment centre in Sudbury region, because that is a much-needed facility and one that will be very important in the future within northeastern Ontario.

I realize my time is fast coming to a close, but I would like to conclude by saying—

Mr. Laughren: Time.

Mr. Gordon: Did I hear somebody say "time"?

The Deputy Speaker: As a matter of fact—

Mr. Gordon: In that case, since I have run out of time, I will have to leave the floor to my colleagues. If one of the members from the other parties wants to read the rest of my speech and put it on the record, I would be very appreciative.

Mr. Stokes: Mr. Speaker, I listened with great interest to the member for Sudbury when he spoke about concern, when he spoke about compassion, when he spoke about moral support. We have had an abundance of that from those benches over there, lo these many months, when my colleagues have been bringing to the attention of the ministry the succession of layoffs that continue to plague most communities in Ontario but particularly, and with a much more devastating effect, the citizens of the Sudbury basin.

4:50 p.m.

It seems to me I heard at least a halting bit of conversion from the member for Sudbury when he talked about the exemptions under the Mining Act that permit companies like Falconbridge to send their unprocessed ore to Norway for processing. It seems to me the present Minister of Northern Affairs was Minister of Natural Resources when those concessions were given. It was also a northern former minister, René Brunelle, who presided over the kind of policy that has brought Sudbury and the people who live there to this sorry state of affairs.

Mr. Laughren: And now Alan Pope.

Mr. Stokes: Yes. So when I see this conversion, this halting and very fleeting step forward by that renegade from Sudbury who has just spoken against government policy, has diametrically opposed it, I am glad he has joined the voices of those members who speak for the north for the retention of raw material at the source for processing to benefit the people in northern Ontario. It is they who create billions

of dollars of new wealth for this hungry megalopolis here around the Golden Horseshoe and for processing in places like the United States and Scandinavia.

It is obvious that this problem, which has become more acute in recent days, had its genesis some 10 years ago when Inco had 18,000 employees in the Sudbury basin. That is down to less than 9,000 now. We have seen a 50 per cent reduction in the work force in that one major employer alone over the past 10 years. It is quite obvious that automation has taken over, as is the case with many of our primary industries. That too has been the case in the mining industry.

I am reminded that 70 per cent of all the new technology that has occasioned a 50 per cent reduction in the work force at Inco was bought outside of Ontario or even Canada. When we look at the 70 per cent of all new mining machinery that has resulted in a 50 per cent reduction in the work force, we will not find it was produced in Canada. It was produced in the United States, West Germany and Scandinavia, but not in Ontario, not even in Canada.

It seems to me this most recent announcement of a loss of between 2,000 and 2,500 jobs on a permanent basis is not a result of the vagaries of the free market system nor of a reduction in the consumption of what those primary producers produce in the Sudbury basin. Those are jobs that are going to be permanently lost to the Sudbury basin. The same thing can be said for the other major employer, that is, Falconbridge—between 1,500 and 2,000 permanent jobs.

I am even advised that the Unemployment Insurance Commission is getting between 2,000 and 2,500 new applicants each month in the Sudbury district. That is a sad commentary on the ability of the federal and provincial governments to order our affairs. They have done so in such a way that we are not only exporting the raw materials in an unprocessed form, we are, in a very real sense, exporting jobs.

There was a little crossfire a couple of weeks ago in the Legislature when the member for Cochrane North (Mr. Piché) wanted some assurance from the Minister of Northern Affairs and the Minister of Natural Resources, who said those very rich phosphate deposits in Cargill township, south of Kapuskasing, would not be exploited and developed for the benefit of the economy of that area at this time. The member wanted some assurance that if it was ever put to good use it would be done on site, preferably in Sudbury, rather than somewhere else.

The member for Sudbury will know there was an interesting article in the Northern Business News, last month I believe. I read it with great interest. It mentioned that, notwithstanding it was without doubt the richest deposit of phosphate anywhere in North America, conditions were not right. One of the inhibiting factors was that sulphuric acid must be used to process these rich phosphate deposits. Where would be the obvious place to look for a source of sulphuric acid? Right in Sudbury, where thousands of tons are being spewed out of those stacks every day.

The company says, "That has all been committed to enterprises like Kidd Creek and Noranda." Anybody who knows anything about pollution knows what comes out of those stacks and knows we have the technology to recover it and, in the case of the Cargill deposits, we know we have a market for it. We continue to pollute our lakes with acid rain from the material that is coming out of those stacks when we have a very viable mining undertaking in the north that could use the effluent that is escaping into the air. The corporate enterprises of this province, both Inco and the people who control the Cargill phosphates, are conning the members opposite and conning the people in the north.

In closing, when Richard Rohmer did his job of assessing the potential of the north, he put forth a very persuasive argument. The Right Honourable John Diefenbaker did the very same thing with his vision of the north. A noted geographer, Griffith Taylor, said Canada had the greatest potential of any country on the face of the earth and he could envisage the day—he said this 50 years ago—when Canada would have a population of 180 million people because the future of Ontario, the future of Canada, the future of the North American continent, indeed, of the free world, was in the north of our country.

We have to get an economic and industrial strategy that will eradicate the boom-and-bust cycles that we have been living under for far too long in places like Sudbury. Nothing will happen until the member for Sudbury can convince his front-bench colleagues of the truth of what we are saying.

5 p.m.

Mr. T. P. Reid: Mr. Speaker, I rise to participate in this debate with a certain sense of déjà vu. My colleague who has just spoken and I, along with a few others, celebrated—if that is

the correct phrase—15 years in the Legislature last Sunday. This debate we are participating in today is probably, I would say to my colleague, at least the hundredth time we have gone through this exercise.

In that time, the government has had the responsibility for ordering the affairs and the economic life of Ontario. Yet we can all recite a litany of communities in northern Ontario that have not only suffered the ravages of the recession—or some would say the depression—but some of our communities have been done away with, literally wiped off the face of the map. Communities that once were vital and dynamic places to live are now either ghost towns or have been reduced to villages.

We have talked at length in this place about the problems of one-industry towns. Essentially, that is what we are talking about when we are talking about Sudbury, Atikokan, Chapleau, Mattabi; one can go on and on.

When we have a recession, when we have the boom and bust mentality, essentially in these communities there is no way to absorb the shock, if you like, of the recession or the downturn in the economic cycle. There are not enough industries, there are not enough other businesses to cushion the shock of what happens. There is not enough diversification so that the shock waves can spread out through the community and be absorbed.

In effect, that is what we are talking about and in 15 years, quite frankly, I have seen little progress in diversifying the economy of northern Ontario.

Mr. Laughren: You know what Darcy McKeough said.

Mr. T. P. Reid: I recall very well what Darcy McKeough said. I must say that I do not agree with the former Treasurer. I do not think I agree with the present Treasurer (Mr. F. S. Miller) who has not been as forthright as Mr. McKeough and who said in Sault Ste. Marie—or was it Sudbury?—that there was no future in northern Ontario; that we could not expect to see any greater diversification, any more job opportunities or much improvement in the quality of life in northern Ontario.

Mr. Laughren: That's what attracted Jim Gordon to the Tories.

Mr. T. P. Reid: I understood he was a Liberal at one point.

Mr. Laughren: Never.

The Acting Speaker (Mr. Cousens): Order.

Mr. T. P. Reid: The candidate I ran against had been an NDP.

Mr. Laughren: Let us get back to the bill.

The Acting Speaker: Let us get back to the emergency debate.

Mr. T. P. Reid: Parties on both sides, and even my friend from Sudbury who has spoken, have on occasion offered some particular remedies to the situation, particular advice and particular policies.

Just in passing, Mr. Speaker, I found it quite interesting that the Minister of Northern Affairs, in reply to my colleague our critic for Natural Resources, made the comment that there has been nothing done about waste in the bush. The minister got up in his place and said: "We are doing a study. It has been going on and in three years we will have this great study." Not 10 minutes previously he had said, "We have had enough studies in northern Ontario," and everybody pounded their desks.

Mr. Laughren: That is exactly what he said.

Mr. T. P. Reid: He knows, probably better than the rest of us, about waste in the bush in northern Ontario. He does more flying in those government aircraft over northern Ontario.

Mr. Laughren: He would not contradict himself that way.

Mr. T. P. Reid: I have a particular and personal interest in these matters because the community I was raised in, Atikokan, lost both of its major employers, Steep Rock and Caland Ore, four or five years ago. At that point the government moved in and put a lot of time, money and effort into Atikokan. To their credit, and I will give the Minister of Northern Affairs some of the credit, they put the new hydro plant in Atikokan, I think, over the objections of Ontario Hydro itself; and they have put in another $4 million, I believe the minister mentioned when we were at a chamber of commerce meeting there six or eight months ago. That was a vehicle that it seemed to me we could use not only in Atikokan but in other communities as well.

The Ministry of Northern Affairs, again to its credit, has provided funds for an industrial development office that has assisted the town in trying to attract further industry to the area. There have been a lot of good things done there. The problem is, and I have said this to the minister, that it is all on a sort of ad hoc basis. I really think we have to have some policies and programs in place to deal with these matters; we cannot respond to the Atikokans, the Sudburys,

the Marathons and the Schreibers and so on, as they happen.

I want to be very specific. Just last year in the town of Fort Frances, where the pulp and paper mill, fortunately, is still running seven days a week, 24 hours a day—I think it is the only one on the North American continent—a company opened a plant there that makes cores for the paper rolls. The unfortunate thing is—I should not say "unfortunate"; I think it is unfortunate in a way, but I am glad to have them—that this was an American company. But the point really is that this company saw a need related to the industry that is already there and it responded to it.

The northwestern chambers of commerce, I think just two years ago, did a report partially funded, again, by the Ministry of Northern Affairs, on specific industries and what specifically could be done to diversify the economy in northern Ontario. They came up with suggestions, which I think were realistic and showed a great deal of common sense, that basically said there should be industries related, first of all, to the industries that we already have in the north. They suggested things like a core plant to provide cores for the paper rolls.

Mr. Stokes: I spoke of that 12 years ago.

Mr. T. P. Reid: That is right. We all have talked about mining machinery or replacement parts for the mining machinery and so on. I think all my colleagues would agree that I have spoken ad nauseam about the third-largest industry we have in northern Ontario—the tourist industry—and how the government has allowed our natural resources of fish, game and water and so on to be given away to nonresidents by allowing them to camp wherever they can.

The point of all of this is there are things that can be done. We can do something about the farming industry in northern Ontario; the direction and the programs have to come from this government. I say to my colleagues opposite, I say to all my colleagues, we have been diddling around for years on marginal things all the time. We are doing a little here, a little there and something over there. My biggest complaint with the minister is there is not a program, a plan, or anything realistic that we can point to and say, "This is where we are going to go in northern Ontario in the next 20 or 30 years."

5:10 p.m.

That is what we have to do. As the minister himself said, we have been studied to death. As a matter of fact I have said in this place on occasion that the only growth industry we really have in northern Ontario is all the studies and all the consultants who are bumping into one another running around spending taxpayers' money, with not much being done.

I again make a plea to the Minister of Northern Affairs in particular to give us a program and a plan. We have our problems because of the economic business cycle, but they can be ameliorated in the future if we do something now.

Mr. Gordon: On a point of privilege, Mr. Speaker: Given the concerns raised here by the New Democrats, considering the fact that the Falconbridge smelter is in Sudbury East, and many of those workers reside there, I would like to know why the member for Sudbury East (Mr. Martel) cannot be here.

The Acting Speaker: That is not a point of privilege.

Mr. Wildman: Mr. Speaker, I wonder if the member could explain why he could not find the door the other day.

The Acting Speaker: We are in the midst of an emergency debate and the issue is that debate. This is not a point of personal privilege.

Mr. Laughren: On a point of personal privilege, Mr. Speaker: I am sure you will hear me out for as long as you heard out the member for Sudbury on his point of privilege. The member for Sudbury East is in Sudbury fighting the rotten compensation system this government has put into the province. That is why he is there.

Interjections.

The Acting Speaker: Order.

Mr. Brandt: Mr. Speaker, if I could get the attention of some of the more vocal members across the way: I believe this debate was supposed to be on the question of Falconbridge and I would like to pursue that subject if I may. I would like to contribute something to the debate. As a member from a riding in southern Ontario, perhaps my perspective may be refreshing to some members.

Mr. Wildman: You are not going to treat it as frivolously as the member for Sudbury.

The Acting Speaker: Order.

Mr. Brandt: I am going to treat it very seriously. I hope the member will treat my remarks seriously as well.

I listened intently to the debate this afternoon and with very much of an open mind to the

members from the north, as well as the Liberal critic for Northern Affairs, with respect to some of the suggestions in connection with the whole problem of the north.

I travelled to the north on a recent trip dealing with workmen's compensation. I spent some time in Thunder Bay as well as in Sudbury and some other communities there. I want to say to the members opposite that I am fully appreciative of the sensitivities and the differences that exist in northern Ontario. I do not treat the subject lightly, but very seriously. I know the problems they have with respect to the lack of diversification and the concentration in most communities on one industry. I share those concerns with the members.

I also want to say, and I think members would agree with this in a nonpartisan way, there are no quick or easy fixes to a very complex and complicated problem.

Mr. Laughren: How long have you been saying that?

Mr. Foulds: Is that the new buzz word?

Interjections.

Mr. Brandt: I am perhaps going to offer some suggestions as to some of the things that might be—

Mr. Laughren: Your government has been saying that for 40 years.

The Acting Speaker: Order, please.

Mr. Brandt: The loss of jobs in any community, whether it be Sudbury, Thunder Bay or any of our municipalities throughout this province, is a very serious and a critical situation, irrespective of where those jobs are lost.

Mr. Gordon: Why is the member for Sudbury East not here?

Mr. Wildman: Why isn't the Minister of Natural Resources here?

Mr. Brandt: Obviously, the intensity of the problem is much more severe in communities where the unemployment rate is well into double digits.

Mr. Laughren: Where is the minister?

Mr. Wildman: The Minister of Labour (Mr. Ramsay).

Mr. Gordon: Admit it. You got caught in your mess.

Interjections.

Mr. Brandt: Was I interrupting the crossfire of debate that was going on over here?

The Acting Speaker: I ask the honourable members to stop interrupting the presentation by the member for Sarnia.

Mr. Brandt: I do not mind if they attack me, but when they attack each other I cannot speak and listen to them at the same time. I find what is going on over there very interesting.

The Acting Speaker: It is difficult to follow the trend.

Mr. Wildman: Tell him to shut up.

Interjections.

The Acting Speaker: I would ask the honourable members to refrain from these interjections and allow the member for Sarnia to continue.

Mr. Brandt: If we will accept a proposition which I think is reasonable, I say to the member for Nickel Belt and I am sure he would agree, a great part of the problem is the complexity of the situation in the world markets, particularly with respect to nickel. There is very little that the government of Ontario can do about that.

Mr. Wildman: Wrong.

Mr. Brandt: There is very little that the government of Ontario can do about the Russians dumping products on the market at low market rates. There is very little that the government of Ontario can do about the United States dumping nickel on the market at below world rates, in some instances. That is part of the reason we have a problem.

Mr. Laughren: Does the member have evidence of that?

Mr. Brandt: Before the member gets too upset, let me say that I recognize that part of that problem is the concentration on one industry.

Mr. Wildman: Right.

Mr. Brandt: I listened intently to the debate and very carefully to what the member had to suggest in the way of some of the solutions that may be applied to this problem. I listened to the member for Nickel Belt say one of the things could be the manufacturing of office furniture.

I think that is a superb suggestion, but that particular suggestion has to take into consideration factors such as the logistical problems that exist in the north. I would be the first one to support that kind of an industry for Sudbury, or for one of the other northern communities, to give the kind of diversification that is needed. But take a small piece of advice from someone who comes from the free enterprise system, or the capitalistic system, if you will: If they cannot make money with it, they are not going to go there.

In an earlier debate when we talked about the problems of Sudbury and about the shutdowns that were occurring at Inco, I said that the New Democratic Party, in particular, could show a somewhat more open attitude towards industry. Instead of being totally anti-industry at every turn, they could open their arms to industry to indicate that industry is welcome in the area and that they are willing to have them come in.

Mr. Laughren: Open your wallet. We will open our arms, but you open your wallet.

Mr. Brandt: As long as the constituents I serve can share in the wealth that is created, I have no objection to opening my wallet. That is the difference between the member and me, and that is the difference between his party and this party. This party does not take exception to sharing the wealth. We believe that both workers and industry benefit from that kind of experience but the member does not agree with that.

Mr. Laughren: You are not free enterprise. What happened to free enterprise?

Mr. Brandt: I will tell you what happens to free enterprise.

The Deputy Speaker: I would ask the member for Nickel Belt to refrain from his interjections.

Mr. Brandt: Perhaps I should be a little less provocative. I can see the member for Nickel Belt is having a problem with some of the things I am saying.

Ontario has done a great many things in connection with the "problem" that exists in the north. There have been a number of projects introduced into that area. I think there are some 35, at the moment, that I have been able to research and count up, totalling some $6 million and adding up to some 14,000 or 15,000 work weeks that have been created by government directly.

To the members in both opposition parties I can say I have no difficulty, philosophically, with government intervention assisting with the creation of jobs in that area. I would like to see it happen in conjunction with the free-enterprise effort because, philosophically, I believe in that as being the right way to go. I cannot speak for every member of the party I represent, the government side, but I can tell you, Mr. Speaker, the majority of the members on this side of the House feel exactly the way I do. We will intervene when it is necessary to intervene. We have been intervening, and we have created some jobs.

I have heard some of the accusations which have been levelled by the members opposite at my colleague the member for Sudbury. There is no member of this House who is more sensitive to, more concerned about or working harder on solving the problems of Sudbury.

Mr. Stokes: Nobody listens.

Mr. Brandt: They are listening to him very carefully in caucus. I can assure the member, if there are any valid, workable solutions applicable to the problem of Sudbury which can be recommended not only by the member for Sudbury but also by the members—

Mr. Laughren: How about the processing allowance?

Mr. Brandt: If we take into account the advice that the member opposite gives us, I can assure him there is no question whatever that we will take into account the advice given by the member for Sudbury. Any suggestions, solutions or improvements that the members opposite can recommend to us we will implement. We are not too proud to steal an idea if it is a good one, let me assure the member.

5:20 p.m.

Mr. Laughren: You won't listen to him, I guarantee you. You have never listened to a thing he has said.

The Acting Speaker: Order.

Mr. Brandt: Part of what we are going to have to do in the north, if I may suggest this, is to couple the involvement of both the private and public sectors to bring about a major thrust to diversify the economy there. It is not going to be done easily. In my own community, which is a relatively sophisticated industrial community, for years there has been discussion about some diversification taking place. It is not an easy subject to tackle or an easy problem to overcome. The concentration in my own community is basically centred on petrochemicals.

What happens in my community is not dissimilar to what happens in other members' communities. What happens in Sarnia is that we make a base product, the initial stage of production. The product is then shipped to some other community. We get the oil from Alberta, quite obviously, and the natural gas. It comes to Sarnia, and then the product is ultimately made in Toronto, Hamilton or somewhere else. So my people say to me the same things that the members' people say to them: "Why can't the product be made in Sarnia?"

I am going to tell the members why, and I have had to come to grips with this whether or

not I like the answer I have been getting. The reality is that the north has got problems similar to the ones experienced in my own community. Those problems are distance factors and a lack of population in the centre I represent, and products are going to be shipped where they make the most money and where it is economically viable to produce those products.

If we can produce office furniture or some other products in Sudbury or wherever, I can assure members that this government will support it to the nth degree and that the call to create that kind of economic environment will be headed by the member for Sudbury.

Mr. Gordon: Mr. Speaker, on a point of personal privilege.

The Acting Speaker: It had better be personal and it had better be a privilege.

Mr. Gordon: Mr. Speaker, my name was brought up by the member for Nickel Belt, and I want to know why they have only five members in the House for an emergency debate if it is an emergency.

The Acting Speaker: That is not a point of personal privilege.

Mr. Foulds: Mr. Speaker, I want to use one minute of my time on matters of personal privilege and otherwise. I want to say very clearly that my colleague the member for Sudbury East, the House leader of the New Democratic Party, is in Sudbury today fighting a compensation claim for a worker who has had his benefits challenged by his employer.

The member for Sudbury East is not in the House today because he is attending to the business of his constituents. He has, if I may say so, a legitimate excuse for being away from the debate in the Legislature, which—and I do not want to get personal in any way—was not the case with the member for Sudbury on Tuesday last, when we had a vote on whether there was an emergency in Sudbury.

I find it passing strange, if not passing convenient, that the government found on Tuesday that there was not an emergency in Sudbury and yet there is today. I think the situation in Sudbury is an emergency, and I think it epitomizes exactly what is wrong with government policy and what has been wrong with government policy for the past 15 years.

The situation in Sudbury pictures on a large scale what is wrong with every single mining town in northern Ontario. It brings the problems into focus, because Sudbury is so large. But the problems of Timmins, Geraldton, Atikokan, Manitouwadge and all those mining towns are exactly the same, and this government and the Minister of Northern Affairs have done nothing to solve those problems.

Today happens to be the 11th anniversary of my election to this place, God help me, and I recall the situation the member for Rainy River (Mr. T. P. Reid) mentioned about Atikokan, a one-industry town, when nothing was done.

This debate epitomizes what is wrong with the legislative process. More than 33 per per cent of the work force in Sudbury is unemployed. A community in the rich province of Ontario has a third of its work force unemployed, and what do we have in this House? In this debate we have had three cabinet ministers flitting in and out, paying a bit of attention here and there to the debate.

Hon. Mr. Bernier: I have been here for the full time.

Mr. Foulds: Aside from the Minister of Northern Affairs, who has been here all the time, there have been but two other cabinet ministers.

I want to say with the greatest of sincerity that today we experienced one of the saddest days in Ontario's history. Some of us participated this morning and attended and paid our respects to the late Premier, Mr. John Robarts. I want to say that if John Robarts were Premier, he would be in this House today for this debate, because he would understand the importance of the regional economies of this province. If he were called away on some important business of the House, Mr. Robarts would have insisted that not only the Minister of Northern Affairs but also other cabinet ministers of rank, such as the Treasurer, the Minister of Labour and the Minister of Natural Resources, be in the House, not merely to participate and to mouth government policies, but to listen and to monitor the ideas of all members of the House.

The Acting Speaker: A point of order, the Minister of Northern Affairs.

Mr. Foulds: If I may just conclude the sentence—

The Acting Speaker: I recognize a point of order from the minister.

Mr. Foulds: Okay. As long as it is not taken out of my 10 minutes.

Hon. Mr. Bernier: On a point of order, Mr. Speaker: The Minister of Natural Resources is in Sudbury today dealing with the issue. That is why he is not in the House.

Mr. Laughren: On a point of privilege, Mr.

Speaker: I should tell the minister that I had a phone call from the Mine Mill union this morning, complaining that the Minister of Natural Resources cancelled his appointment with them and gave them no reason for doing so.

Mr. Foulds: Mr. Speaker, the whole attitude towards northern development shifted dramatically when the premiership shifted. We occasionally disagreed, my colleague the member for Lake Nipigon (Mr. Stokes) and I, with Mr. Robarts and the Design for Development, but at least in the Design for Development documents that were developed under his premiership, there was a conception that there were regional economies in this province and that they were economies worth examining, worth developing and worth diversifying. All that went down the drain in the 1970s under the premiership of the member for Brampton (Mr. Davis).

Frankly, we in the north feel that we have been sold out because the ministers representing the north have not been able to persuade the government to develop policies for full economic development in northern Ontario. The present Minister of Northern Affairs has been a Minister of Natural Resources. The present Minister of Natural Resources is a northerner. During my tenure, another Minister of Natural Resources, the former member for Cochrane North, was a northerner. They did nothing to implement what is now section 104, and formerly was section 113, of the Mining Act.

If one cabinet minister were to say today in this House, "We are going to rigidly enforce section 104 of the Mining Act, but we know we cannot bring that fully into effect for five years," jobs would be created in Sudbury for the construction of the smelter and refinery processing complex, and they would be such that it would help the unemployment situation. I would venture to guess that they could create 500 to 1,500 construction jobs over the next five years alone.

5:30 p.m.

There are all kinds of positive ideas in terms of a public-private mix that have been put forward by my colleagues the member for Nickel Belt and the member for Sudbury East. I want to touch on one of them, the area of resource machinery manufacturing. We all pay lipservice to that, but the fact of the matter is that this party started talking about it first and we have outlined in detail the kind of machinery and the kind of jobs that could be supplied. There are 7,000 jobs that could be created in this province directly even with the depressed state of the mining machinery industry.

It is a little off-putting for myself as a northerner to listen to the johnny-come-lately experts who spill out their platitudes from the government benches when their government has had power and has done nothing.

When this government gets into public ownership, it spends $650 million on nationalizing one quarter of an American oil company. For the $650 million it spent on a foreign oil company, it could have bought controlling shares in Inco, a company that is based in Ontario.

As the member for Sudbury, the member for Sudbury East and the member for Nickel Belt want, the government could have had public ownership and public control of Inco. We could have had public ownership of one of our own industries instead of a foreign industry. With that instrument and policy, we would have been able at least to soften the blow in the Sudbury basin.

I say with the greatest of sincerity that all of us recognize the problem in Sudbury. The problem is jobs, not studies. The people of Sudbury do not want studies; they want jobs and they want employment. This government has an obligation to supply it.

Mr. Haggerty: Mr. Speaker, I was not going to enter the debate this afternoon dealing with the matter of the Sudbury basin and the high unemployment there, but I believe at one time a number of my colleagues to the left sat on the committee dealing with the 1967 layoffs in the situation related to Inco.

The nickel industry does have some bearing on the riding of Erie. At one time Inco had the largest nickel refinery in the world located there. I believe some 20 years ago it had about 2,200 employees; now it is down to about 700. After the recent announcement, I am concerned that there will be a further delay in opening the operation in Port Colborne. There may not even be 700 persons called back because of world economic conditions in relation to the nickel industry and the selling of nickel around the world.

The member for Sarnia (Mr. Brandt) was dealing more with the difficulties facing the nickel industry in Canada; that is, the world situation and the Russians, who are now dumping nickel on the market. One could go a little deeper into this matter of selling nickel on the world market. We have to look at our neighbours to the south. The nickel industry is

controlled by the Americans, by a giant multinational corporation, and they have to bow to Reaganonomics today over there.

The crucial area we should be looking at is world trade as it relates to what Russia and the United States are trying to do, to convince other countries and the world that one or the other is going to have to go bankrupt sooner or later. I think we are caught in this vicious squeeze of world economics as it relates to the two world powers.

In 1977, when dealing with the Inco layoffs, the president of what was then the International Nickel Co., Mr. Carter and Mr. Baird—I forget in which capacity he served with the company, but he was one of its directors—warned that if the nickel situation did not improve throughout the world there would be further layoffs. Members of an all-party committee made a number of recommendations. There were many more individual viewpoints expressed, but there were some good points raised that this government has had five years to respond to as they related to the nickel operations in the Sudbury basin.

There was talk about bringing other government programs to the area. The taxation office now is located in Sudbury. I believe that was a federal project to assist the one-industry town, as Sudbury was called at that time. I am sure the government of Ontario could have been implementing some programs in this area to assist the unemployed in the Sudbury basin and to give them additional opportunities. This government had five years to respond to the difficulties the industry was facing, and I regret that the government has not done anything in this area to assist the Sudbury basin in other areas of employment.

The member for Lake Nipigon (Mr. Stokes) mentioned the prospect of a new industry, a commercial fertilizer plant that would use use phosphate and sulphuric acid. This was discussed in the committee. It was suggested there was enough sulphuric acid in northern Ontario to use for this. Inco, CIL's processing plant and Texasgulf emit large amounts of sulphuric acid into the atmosphere; so it could have been used for that purpose too.

During the election of 1981, I recall the government came out with the Board of Industrial Leadership and Development program. They were talking about how things could prosper in the clay belt. They were concerned about the land disappearing in the Niagara Peninsula. I am sure I caught the attention of the member for Lincoln (Mr. Andrewes) on that matter. They said there was no problem there; we had excellent farming land in the clay belt and all it needed was further development.

They talked about this project that could be developed which could employ a number of persons in building this new fertilizer plant in that area and increasing the agricultural sector of Ontario. To this day, nothing has been done. After five years, and some of these comments that came out of those committee hearings, such as that the government should be moving in this area, I have to question the government and ask what has it been doing in this particular area?

There were questions brought out in the committee's hearing about whether the government should be looking at further development of hydraulic plants in northwestern Ontario to give ample opportunity to create development in that area. From studies done in that particular area, we know there was a shortage of a secure supply of electricity from northwestern Ontario, even to the Sudbury basin, because we did not have the connecting lines drawing energy from the southern part of Ontario to northwestern Ontario. They thought any major increase in development in that area would cause some difficulty because of an insufficient supply of energy. That is the area the government should have been moving into. Jobs could have been created in this area, but again nothing was done. There has been a complete failure on the government side to take some initiative.

The member for Sudbury (Mr. Gordon) indicated that the federal government could do something in that area. I think even at that time the committee suggested that the government should be developing a new uranium refinery in that area, moving from Port Hope to the Sudbury basin. I thought they indicated it should be built at the old correctional institution at Burwash. I do not know what happened to that deal. All of a sudden it was supposed to be located around Little Current or someplace but not in the Sudbury basin. The government had many avenues open to produce new job opportunities in that area.

5:40 p.m.

If we look at that report, Inco did indicate that its forecasting was wrong, that it was looking for a great supply and use of nickel throughout the world. I have had some difficulties in the Niagara region meeting with the serious layoffs of the automobile industry. At one time, automobiles contained a certain amount of nickel in the chrome that was used, but there

is no market for that now. We have reached the era of plastics.

Plastics have really put a damper on the sale of nickel for use in chromium or stainless steel materials, and even in copper. Other things have replaced the use of nickel and stainless steel in manufacturing in Ontario. This is an area the government should be looking at.

I can recall the days when I was critic of Natural Resources. Our party took a position at one time in regard to section 113 of the Mining Act that there should have been an export tax put on raw materials from all the mining sectors in Ontario. We were looking for a tax that could have generated revenue to build secondary industries in the northern part of the province. This government failed to respond in that area and they looked to Norway and England to refine it.

Inco has spent $25 million in the last year for a new cobalt processing plant, which I hoped would be open this year, at the refinery in Port Colborne. I doubt if that plant is going to get off the ground unless there is a different outlook in the world economy in the selling of nickel. The government has had many opportunities to provide secondary industries in the province and in other areas that could have created the employment we are looking for now, but it has not responded to that report of 1977.

Mr. Lane: Mr. Speaker, I rise to make a few comments. I have listened to some other speakers talking about various anniversaries in the House. I want to point out that it is 11 years ago today that I was given the great honour of representing the people in the Algoma-Manitoulin riding. I think I have been able to do that reasonably effectively ever since.

I have not often spoken in this House, as many will know, because there are many better speakers than I, but I have listened to a lot of speeches. I have sat for a good many hours in the House and in committee and I have heard more rhetoric than most people in the last 11 years, because I am generally here.

Do not think I do not realize there is a problem, because a great many people from my riding worked in Inco and Falconbridge and they are now laid off and finding it very difficult to get by. I understand the problem, there is no question about that; but I understand too that every one of us members should be an Ombudsman for his or her own riding in this House and should be saying what a great place his or her riding is and why people would want to live, work and invest money there.

That is not what I heard from the Three Musketeers from Sudbury. I have not heard that put forth by the Three Musketeers over the years. One of them is no longer here. As a matter of fact, when we took the northern trip back in 1973 or 1974, some of my friends from southern Ontario were expecting when they got off at the railway station in Sudbury they would have to put on gas masks, because the member for Sudbury East (Mr. Martel) had been telling them what a terrible place it was to live and how bad the fumes were, how bad Inco people were, how bad Falconbridge was.

To my surprise, after the member told us what a terrible place Sudbury was, we stopped there and, by God, he never showed up at all. He was not on the trip. He was not in Sudbury, I guess. I do not know. The minister will remember the trip.

There is a very real problem, but the present members and some of the past members from that area have to take some of the responsibility, because how can they badmouth Inco, Falconbridge and the government and then expect the government to have industry waiting in the wings pleading to locate in Sudbury? How do they expect that? It cannot be done.

The other thing I should say as a northerner—and I am a northerner and very proud to be one—is that we are going to have to start doing more for ourselves and not depend so much on somebody else. It has been our habit over the years to say that the government should do something or the company should do something, locate a new branch here or a new branch there or whatever. What the hell are we doing ourselves besides indulging in rhetoric? There are all kinds of opportunities and all kinds of resources that we are not even tapping in northern Ontario.

Mr. Laughren: Why not? Why aren't you doing it?

Mr. Lane: Why aren't we? Why aren't you doing it? I can tell the honourable member that I spent a good many hours this summer having meetings across the north in my own riding and in other places trying to talk to people about that very thing. Why do they not put forth the ideas? The idea has to come from within, there is no question about it. We as a government cannot say, "You should do this, and we are going to give you some money to do it with or some money to help you start it with."

That is not going to work. The idea has to come from somebody in the north who wants to be a private entrepreneur and sees an opportu-

nity to use a resource that is there, to create some jobs—and to make some money at it, of course; there is no shame attached to profit as far as I am concerned. It is a good word; we should be able to make a little profit from our efforts.

I had a lot of meetings this summer trying to put ideas in people's ears so the words would come out of their mouths and they would be asking this government to help them set up a business that would provide jobs and so we would do the thing ourselves and not depend on somebody else.

If we look at what is happening in industrial towns in this province, the branch plants that we would so love to have in Sudbury are the first people to close up and move out of the area as soon as times get rough. If we do something ourselves in northern Ontario and cause jobs to be created there, then we are going to last through this type of recession, because it is our business, it is our money and it is our part of the world.

Mr. Stokes: For instance.

Mr. Lane: For instance? Okay. The member for Lake Nipigon has mentioned many things that I agree with. I think there are things we could and should do in Sudbury or in the north.

Mr. Stokes: For instance.

Mr. Lane: Okay. For instance, if we want to have a very expensive house today we might build it with fieldstone. We have millions of tons of fieldstone lying around northern Ontario that are there for the taking. We could have an industry that would ship fieldstone from northern Ontario all over this province to use in building houses, hospitals, anything we want. What are we doing about it? It is still lying there. It would not cost a cent.

What about our maple syrup or maple sugar industry? We want to be a tourist place. We have all kinds of people coming to Manitoulin Island and to other parts of northern Ontario. We have hundreds of thousands of sugar maples in the riding, and nobody is bothering to tap them to get the syrup for maple sugar that could be sold and would create work and cause dollars to be spent in the area. It would also give us an opportunity to advertise northern Ontario in the United States or wherever tourists were coming from.

5:50 p.m.

I am going to tell the members for Sudbury, yes, we have troubles. Yes, I am in sympathy with their troubles, because their troubles are partly my troubles. Yes, I will help in any way I can in order to resolve those troubles, as will other members of my government. But we must think of offering something other than rhetoric to resolve the problem. We can do some things.

Mr. Philip: Did you get the bank open?

Mr. Lane: Yes, I did. I kept the bank open.

Mr. Laughren: For how long?

Mr. Lane: Wait and see. One does not know.

I do not have a lot of time left and I want to point out again that there are opportunities in the north. This government is doing things in the north. Without boasting, I can say in my riding in the last year moneys on highway improvement have been spent, or contracted to be spent within the next few months, to the amount of $8 million.

Mr. Laughren: You are going to sink Manitoulin Island, putting new paving on it.

Mr. Lane: That provided a lot of jobs. It improved the area for visitors and for residents. If everybody looked at the records in his riding, we would find this government has spent a great deal of money in every northern riding in the province.

The Deputy Speaker: One minute.

Mr. Lane: Other things can be done. If I had time I would tell the members more. They should not despair but put their minds to working at some positive suggestions. They should not be negative for ever.

Mr. Breaugh: Mr. Speaker, this afternoon, through the magic of electronics, I had the opportunity to hear the debate. I want to join it because I think it is important to recognize this is not a problem of the north. It is a problem of this province and this country.

Many of us in industrial ridings in the southern part of Ontario recognize the tragedy of workers who have spent a lifetime doing what everybody wanted them to do, and at or near the end of their working career they find their lives disrupted.

Many have spoken this afternoon about all the studies which have been done on the unemployment rate. There is danger in members of this Legislature focusing on that too much, because they are impersonal statistics, just sets of numbers.

The best place in the world to study economics and the ramifications of unemployment is at the kitchen table of a worker and his family, to understand what that does to them. It shows in dramatic terms in that all of us, economists or

not, can readily understand what it is like to be 45 or 50 years of age, to have worked in a plant or a mine for 20 or 30 years and have that ripped away, and then to be faced with the ignominy of trying to fill out forms, visit social workers and walk around looking for jobs we know are not there and are not going to be there because nothing in our society is changing.

For far too long everybody in the country has looked upon the north simply as a place of resources to be exploited by the private sector. Excuse me for saying so, but we should not be surprised that the private sector is not interested in the workers of this world. The private sector has said openly and publicly for a long time that it is there to make money and that is it. Too bad about workers who are unemployed. They do not see that as being their responsibility. They say that is the responsibility of government.

In other societies there is a different point of view taken of that. The tragedy of the Sudbury basin is the tragedy that this province, this country, has done just that. It has said, "We look to the private sector to exploit the resources of a nation." That is the tragedy. It is just plain dumb for governments to expect that companies like Inco, Falconbridge, General Motors and so on, suddenly will redefine their personal sets of priorities, will set aside the profit motive and will begin to say, "We have a social conscience which we must develop."

The laws in our country have never made them do that. One of the important things in this debate is for us to try to develop a consensus. One of the things I personally find disturbing is that people, especially in Canadian politics, often let their political ideologies get in front and totally block their common sense. Again, one of the tragedies I see there is just plain stupidity.

I believe the studies have been done and the consensus is there. I do not care if one is born again and looking at a planned economy as being necessary for our survival; if one came to that conclusion 30 years ago or yesterday, the conclusion is there, the consensus is there. Now we look for other things from our politicians, our government and our individuals; that is to stop moaning and groaning.

One of things I hear from time to time from the opposite side is that one is not supposed to talk about doom and gloom. Let me tell members it is damned hard not to. It is damned hard to turn one's back on people who are one's friends, neighbours and constituents and just simply say, "The problem they have does not exist because it is not polite to talk about that in mixed company."

I do not care whether the government likes it or not. I will talk as many times as I can about the reality of things in my riding, or for those people who are friends of mine in other parts of Ontario and those people in this province whom I have never had the pleasure of meeting who are sharing the economic misery of my own constituency and friends. That is my job. The government may not want to hear it. It may not be particularly pleasant. It may be said by someone they do not like or who they do not want to listen to. I care not. It is our job in this Legislature to do just that, to debate issues of the day.

One of the things I found very sad about Tuesday's experience is that, for some reason which escapes me totally, this economic situation was not considered to be an emergency on Tuesday and on Thursday it is. To be pragmatic about it, I really do not give a damn whether we debate it Tuesday or Thursday afternoon so long as the members of this Legislature have an opportunity to do their job, which is to conduct this kind of debate.

One of the important differences I want to see is that people in this country get off their own little hobby-horse about their particular current trendy little slogan, and that we stop talking about a little bit of restraint on everybody else or some massive program which is going to solve it, a six and five, a nine and five or whatever, and get down to the business of dealing with the realities. The realities have been studied and put forward as alternatives.

We do not need more studies. Frankly, we do not need what I heard coming from the government benches today, which is that we champion the cause of a particular segment of Ontario quietly and silently behind closed doors. We need to stop that attitude. We need to do this publicly and here and now. Let everybody find out where each of the members stand and what their opinions are. Let us get it on the table and deal with it.

God knows, the government might even stumble upon a consensus among all three parties as to what actually ought to happen. If it stumbles upon it in that way, will it have the guts and the courage to implement it? I hope so, and not for any political gain that might fall to me or my party. I hope so because I know there are workers in the Sudbury basin who have damned slim prospects of making it through this winter. I know that for a fact because the same thing will

happen in my area with auto workers. I know that tough time stuff is there.

I think it is just dandy that the Prime Minister of Canada goes on national television and says, "The problem is we have to learn to trust one another." That is part of it, but it is incredibly naïve to think this is an attitudinal problem in total. It is not and it is incredibily naïve to think that we have not identified those things which must be done.

In the little package put together by the member for Nickel Belt (Mr. Laughren) and the member for Sudbury East (Mr. Martel) which I read with great interest when it was first released, they sought that consensus. They went not just to their own ideas, but to other groups and other people inside and outside of their own party who have studied the situation in that region for a long time, far too long, and formed that consensus not out of their own ideas exclusively.

They grabbed from everybody who had something legitimate to say about the economics of northern Ontario. The tragedy of that is we are not really talking about a little isolated area of the province. We are talking about 90 per cent of the land mass of this province; and the resources of a nation, not of any given region.

In Oshawa, we understand that when people in Sudbury are not making any money, when they do not have a job, they are unlikely to be able to buy the automobiles we produce. We understand that direct economic ramification from one region of Ontario to another.

All of us in Ontario, in this nation, had better understand that the time for gamesmanship is past. It is irrelevant who is sitting in his chair here this afternoon; it is irrelevant who has an opportunity to speak and who does not. It is time to set that aside. It is time to search for the consensus, the kind of consensus that is contained in this proposal.

The proposal itself is not meant to be exclusionary; it is meant to be part of a positive process that puts in front of the government of Ontario the choices that have to be made. After that it is the determination of the government whether it has the political guts and the good common sense to implement it.

I want to conclude my remarks by simply quoting from the last part of this proposal. In the recommendations in their paper they said this: "These conclusions are not simply ideological. They are forced upon us by economic necessity and the failure of the experiment we have had in Sudbury with private sector economic leadership and control."

That is what it is all about. That is the reality. That is where we are. The challenge is for the government, for all members of this Legislature, to see if we can now go past good words, good intentions, a new post office here and a paved road there, take the bull by the horns and do what I think all of us know in our hearts must be done, whether we are prepared to admit it publicly or not.

That is the challenge that has been put forward by the members for Nickel Belt and Sudbury East. It addresses itself to the needs of northern Ontario and, more pertinent, it begins to make this Legislature look at the problems not just of the north, not just of the south, but of this province in its entirety and, as a matter of fact, of this country.

Mr. Speaker: This concludes debate on this matter.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, just before you leave the chair, I should announce that there is a slight change in the order of business for today. We will start tonight with second reading of Bill 91, then go on to Bills 93, 149 and 150, both second reading and committee of the whole, and then go to the adjourned debate on Bill 174.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, I am tabling the answers to questions 112, 148, 173, 175, 234, 237, 257, 274, 299, 302, 303, 304, 499, 510, 511, 518, 529 and 536, and the interim answers to questions 310 and 311 (see Hansard for Friday, October 22).

The House recessed at 6:04 p.m.

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Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Thursday, October 21, 1982

The House resumed at 8 p.m.

MUNICIPAL INTEREST AND DISCOUNT RATES ACT, 1982

Mr. Rotenberg moved, on behalf of Hon. Mr. Bennett, second reading of Bill 91, An Act to revise the Municipal Interest and Discount Rates Act.

Mr. Rotenberg: Mr. Speaker, it will be recalled that a year ago we brought in the Municipal Interest and Discount Rates Act, 1981, which improved procedures for setting and adjusting penalty, interest and discount rates on overdue and prepaid local taxes. The 1981 statute empowers municipalities to establish their rates at 1½ per cent above the prime rate as an alternative to the standard 15 per cent maximum allowed by the Municipal Act and other related acts.

Procedural changes in the act before us this evening will extend the time available to local authorities for preparing the groundwork in considering adjustment to their rates. They will also relax the notice requirements for rate changes in the same year by permitting a newspaper advertisement instead of a letter to each ratepayer.

In addition, this bill will allow municipalities and local boards to lower their rates in the year for which they were fixed and then subsequently raise them back to the rate initially fixed. This was not provided for in the previous legislation and municipalities were not prone to lower their rates because, if the prime rate went up, they could not raise them back up again.

Also, the bill will allow a municipality to set the rate at any time in the month of December for the following year to give the municipality sufficient lead time for tax bills in some municipalities to go out in January.

Finally, the proposed legislation will allow municipalities to pay interest at such rates as they may wish on tax overpayments which are returned to a taxpayer following the conclusion of a successful appeal of his assessment by that taxpayer.

I commend Bill 91 to the House.

Mr. Epp: Mr. Speaker, thank you for giving me the opportunity to speak on Bill 91.

Before I start, I want to commend the member for Armourdale (Mr. McCaffrey) for being here. He is the only cabinet minister here tonight.

Hon. Mr. McCaffrey: I would not have missed it. I am here because you are here.

Mr. Epp: I know that. The minister and I both had the opportunity yesterday of appearing before about 400 to 500 people in North York. He was in his shining armour among his own constituents and I was coming from outside. They treated me very nicely, they really did.

Hon. Mr. McCaffrey: We both taught Bob Rae a lesson.

Mr. Epp: That is right. He should have been in York South. He is going to lose that riding now for sure.

Mr. Speaker: Back to Bill 91 now please.

Mr. Epp: Speaking about that would-be member of the Legislature—

Mr. Speaker: No, we are speaking about Bill 91.

Mr. Epp: I notice it says he is going to sell his house after he wins. He wants to move to York South, but he does not have enough confidence to sell his house right now, he wants to wait until after he wins; but he is not going to win, so there is not going to be any transaction as far as that sale is concerned.

Nevertheless, Mr. Speaker, now that you mention it, I think we will—

Mr. Philip: With the interest rates of the federal Liberal Party, you cannot sell any house these days.

Mr. Speaker: And now to Bill 91. Never mind the interjections.

Mr. Epp: Mr. Speaker, it is difficult to resist, but on your advice I will.

As far as Bill 91 is concerned, we are going to support it. I think it is somewhat overdue and I would be interested in knowing at the outset, when the parliamentary assistant has a chance to reply, what preparation went into making these changes. What kind of a consultative process did he enter into with the Association of Municipalities of Ontario and with individual

municipalities before these changes were made?

We know these changes have been recommended for some years now by the municipalities and by individuals. I have always found it atrocious that, when individual taxpayers had their taxes changed, having appealed their taxes and the assessments being decreased, despite the fact an individual had won an appeal and had presented the municipality with perhaps hundreds of dollars in overpayment, on appeal he did not gain interest on that money. Now it looks as if the province has finally caught up with some form of reality and such individuals are going to be reimbursed to the extent they should be.

We also know there is a deadline on the time when municipalities may establish their rates for the coming year on overpayments and so forth. I wonder why the government has decided to limit it to December, because the way the law reads at present, they have to be able to establish those rates in the current year. Now, the government, in its magnanimous approach to municipalities, is going to let them make these mammoth decisions in December, just before Christmas, rather than wait until January. I wonder why the government did not take the full step and let them do it at their own pleasure rather than limit them to December of the previous year.

This is a fairly straightforward bill. We have no real difficulty with it except, as I say, on some of the questions that come to mind with respect to the bill. We will be supporting it during second reading.

Mr. Breaugh: Mr. Speaker, we will support the bill. But in doing so I want to express some reservations I have about it. Our support of the bill is based essentially on the premise that many of our municipalities, like everyone else in our society, have been caught in the turmoil of the interest rates. The federal government's inability to provide any long-term stability and growth is manifested in many municipal councils and creates a problem that is actually new to them and that never really took on much proportion. We have seen the actions last year, and again this year with this bill where the province is attempting to rectify the situation.

8:10 p.m.

In the last year or so a number of people in municipal government have pointed out, rather ruefully, that the problem with unpaid taxes is that people found it was much better for them, financially, not to pay their property tax and to leave their money in the bank. The municipality was unable to react to that in the way of fines or interest rates or penalties of any kind, so there was no incentive for someone in arrears to pay the taxes; quite the contrary, there was a great financial incentive not to pay property taxes and to leave that money in the bank, reap the benefits of the federal interest rate policy and just leave it at that.

Many municipalities were caught in the awkward position of having people in their municipalities who had let their property taxes get into arrears. All sides were looking at the same issue and saying: "This is ridiculous. Here are people who owe property taxes. They are given a real financial incentive by the interest rate policies of the federal government not to pay their taxes, and it appears that there is damned little we can do about it."

This year's revision to the act provides municipalities with a little more flexibility. On that basis one can accept this as a proposal which attempts to give municipalities some refinement in the system and it is hoped it will provide a little more fairness.

I want to say a couple of words on the negative side because I have some reservations about the bill. I trust there will not be municipal councils out there—probably it would not be the councils themselves but rather their financial advisers or staff people—that will take a look at the way this act is written and perhaps will urge the municipalities to exploit this act to its fullest.

One of the problems I have is that the intent of the act is noble. The intent of the act is to try to take municipalities out of that straitjacket surrounding interest rates, and to give them the tools to deal fairly and flexibly with the problem they have. If the intent of the act is followed to the nth degree, if no one decides to get fancy with the numbers, if no one uses it to reap additional moneys for municipalities, it will be all right and none of us will be embarrassed by the provisions of this act.

But there are substantial matters which cause me some concern in this day and age when everybody out there, every property taxpayer, certainly, feels extremely vulnerable to the vagaries of the banking system, the federal government, and interest rates in particular. We may be adding to their problems by adding something which could be used unfairly.

If a municipality decided it really wanted to reap some money, the act could be used in a punitive sense. The argument could be that it is

focusing on a group of people who, without question, are attempting not to pay what they rightfully owe in property taxes. If it is limited to that group, it may not cause us a problem at all, because those are ratepayers who are in arrears and may be wilfully trying to avoid paying what they properly owe.

The difficulty is that in a number of our municipalities, my own for example, the economic times are such that there will be people who do not want to be but will be in arrears with their property taxes. Therein lies the rub. In normal times one could look at a bill like this and simply say: "We are offering a little flexibility here, a little more fairness than before. We are trying to get them out of a problem area which is relatively new to us and so we have changed this act. Fairness will apply, and if there is some unfairness in it, it will apply to a relatively small group of people and, indeed, to a group of people who should be paying their property taxes anyway."

Where I see we may be getting into a bit of a problem is that in many of our municipalities there are good, God-fearing, decent property taxpayers who do not have the ability to pay their property tax. I know that members opposite will probably wax and wane a bit about all the little schemes this government has to see that senior citizens get a little rebate here, and that other members of our society get little cheques here, there and all over the place, to try to alleviate their situation. In the Income Tax Act and elsewhere, attempts are made to soften the blow so that those who are having difficulty paying property tax will get some relief from it.

The fundamental problem in that is it may be all well and good in normal times, but we are now in a period when an increasing number of people are being laid off; certainly in every industrialized centre in the south, where layoffs are dramatic and the production facilities of our industrial heartland are sometimes running at 40 or 50 per cent of capacity. In my area, we are going to go through a period of time between now and next spring when a substantial amount of our industrial capacity will not be used and the people who pay these property taxes will not have an income that will allow them to meet their obligations.

In many areas of northern Ontario, particularly one-industry towns like the Sudbury basin, there is going to be a dramatic increase. There are people who would be happy to be working, making a living and paying their property taxes promptly, instead of being susceptible to fines, interest rates or the penalties that may come, but we are going to see an increasing number of people who will not be able to do that.

There are all kinds of funny little splits in here. There will be a number of home owners, like myself, who will have property taxes included in the mortgage rate. There are still a rather large number of people who do not want to do it that way or, as in my own situation, a number of people who have never done it that way. They perhaps own their homes, but property taxes are becoming a significant factor in their income and they are going to have a problem.

In my municipality, as in most industrialized towns, auto centres in particular, everybody understands the cyclical nature of the auto industry. When I was on the council, it was one of the few municipalities in Ontario that put on the front of its budget book what was happening in the auto industry that year. We understood that any variation in the auto industry, whether it was some kind of labour dispute, a slump in the market or a design change, anything like that, had an immense financial impact on that community. For example, in a year like this one we knew there were going to be a lot of people who were going to have a little bit of difficulty meeting their obligations as far as property taxes were concerned.

In my community it has always been the policy that, when we get into times like that, the municipality had better understand that it is not that people do not want to pay their taxes, it is that they do not have the ability to pay them. So there has always been an agreement reached by the council that, in difficult financial situations like this, it is the obligation of the municipality to understand that, and to understand that when these people get back to work, when the layoffs are over and spring rolls around, they will regain that ability to pay their property taxes.

There have been a number of examples in many of our industrial centres where the councils did the practical, pragmatic thing. They simply said: "The reason we are not getting our property taxes this year is not because people do not want to pay, but because they do not have the ability to pay. We can get mean and nasty about this, put fines on them, charge them for being in arrears or punish them with interest rates"—as would be proposed under this bill—"but that is not sensible and it is not fair and we will not do that."

By various little techniques, with a wink and a nod, they have said, "We understand why you are not keeping your property taxes up to date

and when the strike is over, when the layoff is over, we expect you to come and pay them." Frankly, in my community, the track record on that is extremely good. People have understood that their council was trying to help them out of some economic duress. The council was counting on them to come in when the disruption in their lives was over and make up the money. There were no penalties attached to it for the most part. It seems to have been an accepted part of that community.

This is where I have a little difficulty with this bill. I suppose it all depends on precisely how the municipalities react to it. In many of the municipalities I have talked to recently they understand that when plants are shut down, when, as in my own community, whole shifts are gone and when, in fact, physical plants are gone that were there a year ago, they cannot get blood from a stone and they cannot collect tax money from a citizen who has no income. They understand that, and I think there will be the sensitivity I want.

The problem I have with the bill—and I hope this will not happen; I feel reasonably confident it will not, or I would not have recommended to my colleagues in my own caucus that we support it—is that municipal councils might abuse the alterations that have been proposed in here.

Going through the fine print of the bill, and we will not want to do that in second reading debate, in my view there is potential here for some things to happen that are clearly wrong. I accept that one intent of the bill is to protect municipalities from abuses, and I hope that is precisely how it will be used. I accept that another intent of the bill is to reflect the uncertain economic times we are in and that municipalities should not be put into a punished position, so to speak, for what are policies of the federal government or of the chartered banks. I hope that is exactly how this bill will be exercised in practice. I did want to get on the record my concerns about the practical ramifications of that.

8:20 p.m.

I do see that it would be possible and perhaps even defensible for a municipality to take a look at its rolls, at the penalty provisions and the interest rate adjustments that are here, and have their financial advisers say, "Listen, we are a little short of cash this year, and one thing we have now is the ability to adjust, to pick up a little extra cash here and there." I am sure there will be people in financial administration, certainly in the major cities, who will be directed by their councils to take a look at everything the municipality does and start to really tighten up.

There will be some hard-line trickle-down folks on municipal councils; unfortunately, I am reasonably sure that is going to happen. If those people get into public office, forget the economic times we are in and decide that their thing for this next year or so is to exploit every piece of legislation that allows them to extract money from the population at large and to do it with fervour, then I think we will have done a disservice here.

I accept the basic problem that is there, and I accept the premise on which this legislation is based. Based on my conversations with people on municipal councils, I remain firmly convinced that they will not abuse it, that this is an attempt to rectify a problem they had, that it was done with some consultation, and that although it does not have exactly everything they wanted in it and is perhaps not a perfect system, it is better than what was in place before.

We will support the bill, but we wanted to put on the record of the House the reservations we had about it. We trust that we will not be back in the spring session pointing out that abuses are taking place. I hope that will not happen. I am aware that the potential is there, and I simply make the plea to municipalities that are exercising their rights under this bill to do so with some caution and to recognize that even though they have a three-year term to buffer it, there are a lot of people in a lot of municipalities who are good, decent folks who want to pay their taxes but who, at least temporarily, I hope, have lost their ability to do all the things they want to do.

As long as municipalities take that into account, we will support the bill. We think it will solve one or two problems; we are just making the argument that in an attempt to solve one or two problems, let us not create half a dozen serious ones on the way.

Mr. R. F. Johnston: Mr. Speaker, I have just a few words to say. As our municipal critic has said, we support this bill; however, as the Metro spokesman for the New Democratic Party I want to add another cautionary note, if I might, and ask the parliamentary assistant whether this is possible.

I have concerns about the potential dangers to individuals in a place like Windsor. We have heard that as many as 1,100 homes or properties could be taken over at this time for arrears; that there is a danger, with the financial crunch the

municipalities are in now because of the slowing down of the pass-through of dollars from the provincial level and other kinds of financial concerns they are running into, there may be some pressure from advisers to those councils to move more quickly than we might like to take over those kinds of properties.

There is another thing I wish to know. At the same time as we are watching that in the next number of months, the fifth principal feature in the bill, that "municipalities will be allowed to pay interest at such rate as they wish on tax overpayments," is one we have not had in the past. There was no mandate for the municipality to pay interest on somebody's overpayment of taxes after he had successfully appealed an assessment. I wonder whether this is going to be dealt with as it is by the banks, where one's savings amount is quicker to drop and slower to rise than with one's loan payments.

I wonder whether we could keep an eye on exactly what the practice of municipalities is in determining how much interest they will actually pay on overpayments. I notice in the bill that is just subject to a bylaw which a municipality may choose to pass and which would be defined as that council sees fit, but obviously it could be possible to have three per cent interest being paid to somebody for an overpayment in taxes at the same time that the municipality was charging 12 per cent when somebody was failing to pay sufficient tax.

I would like to know how the parliamentary assistant would see this being handled or monitored over the next period of time.

Mr. Haggerty: Mr. Speaker, I want to address myself to Bill 91, An Act to revise the Municipal Interest and Discount Rates Act, 1981.

There is a question I want to raise for the parliamentary assistant. As I interpret it, the bill allows the interest rates to fluctuate with the prime rate of the bank, perhaps one or two per cent less than that.

Many municipalities today have a healthy reserve set aside for some special time when they want to spend some money on a special project. Sometimes they can accumulate money over four, five and even 10 years which sits there as a reserve fund. I think of the Niagara region, for example, as one municipality that has a healthy reserve fund sitting there now which they do not know what to do with. I understand they borrow from that reserve fund to help cover some of the expenses during the current municipal year. They perhaps borrow at a pretty favourable rate.

I wonder whether it would not be worth while to put something in the bill that would cover that situation which would say that at least they would pay the interest rate that would be charged those persons who can afford to pay their municipal taxes and who are paying one per cent below the prime rate. In a sense, they are paying a double form of taxation. In one place, they can overtax them and then they can turn around and borrow from that fund at a very low interest rate.

What I am trying to convey to the parliamentary assistant is, if they can borrow from that fund at 12 per cent, why can the bill not be set at 12 per cent? I do not think they should have it two ways.

Mr. Charlton: Mr. Speaker, I want to pick up on what my colleague the member for Oshawa (Mr. Breaugh) had started to discuss and to throw in a few cautions.

We are going to support the bill. We understand and support the basic principle of the bill. We had a debate in the Hamilton city council on this issue last year, and it turned into a very bitter debate. It was bitter because there were two perspectives, and both perspectives had merits. Unfortunately, the bill deals only with one.

I want to throw in a caution. I wish to be assured that the ministry is going to monitor it very closely. One of the two perspectives, simply put, was that there were some people who were abusing the system by intentionally withholding their property taxes, leaving the money in the bank, getting high interest and having to pay only 12 per cent on their overdue taxes.

During the course of the debate at Hamilton city council, that point was put very forcefully, as well as the point that the city had to go out and debenture the shortfall in the taxes it collected and pay interest on those debentures. It is all valid, understandable and reasonable that we want to deal with that situation.

On the other hand, there was the other camp, which said: "Yes, there are some people out there who are abusing this economic situation wherein the limitation is placed on the municipality, but the vast majority of the increasing number of people who are falling behind in their property taxes are falling behind because of the economic situation we are in with the increasing unemployment. Through this process, we are going to add to the hardship which those people are having imposed on them by having lost the job they have had for 15 or 20 years or whatever

the case happened to be." That is also a valid matter to consider.

8:30 p.m.

I am not sure how it could have been done, but I would have liked to have seen something specific in this bill which created a clearer obligation on the part of municipalities to consider hardship cases in relation to property taxes.

I did want to make those points and to add that caution to what my colleague the member for Oshawa had said. Although this bill has merit and we are going to support it, over the course of the next two or three of four years, depending on how long this economic recession we are in lasts, some very nasty and very unfortunate situations are liable to erupt in a number of municipalities across the province, bringing about some very nasty fights on municipal councils, and there are likely to be some very angry home owners who, through no fault of their own, are temporarily unable to pay their property taxes.

Mr. Rotenberg: Mr. Speaker, I want to thank the members opposite for their support of the bill. I will try to briefly deal with the matters raised.

The member for Waterloo-North (Mr. Epp) asked about consultation. I point out to him that almost all municipal bills are sent to the Association of Municipalities of Ontario and copies are sent to all the approximately 800 municipalities in the province, as this one was. We received a number of replies, all of them favourable, some suggesting some technical amendments or changes.

Basically, there was no opposition to the bill from the municipalities. Some wanted more flexibility, some wanted to be able to set their own rates, but basically there was no opposition to this from the municipalities, and certainly not from AMO or the Association of Municipal Clerks and Treasurers of Ontario.

The honourable member also asked why we put this to December. I point out that moving it back to December is permissive, not mandatory. Until now, they could not pass a bylaw until January 1. Now they can pass it in January, but they can pass it earlier if they wish to. It is not mandatory to do it in December, it is simply permissive in December; if it takes effect before March 31 it gives a municipality a little more lead time to get its tax bills printed with the penalties or the interest rates on them.

Mr. Epp: It is not permissive to November?

Mr. Rotenberg: It is to December only. We do not want to give municipalities too much lead time, especially these days with rates fluctuating. We want to have them set rates within a reasonable time of when they are going to take effect.

The member for Oshawa and the member for Hamilton Mountain (Mr. Charlton) raised the really significant problem of making sure those people who have money do not put their money in the bank and collect a higher rate of interest than they are paying as a penalty. Yes, there is the problem of those who cannot afford their taxes.

Unfortunately, much as we all like to, we cannot have it both ways. We cannot legislate one law for the poor and one law for the rich. In this permissive legislation—and I stress it is permissive legislation—we have to set out the rules and regulations under which a municipality operates, but it is permissive.

If Oshawa, Hamilton or any other municipality, even part way through the year, decides in its wisdom that because of high unemployment or whatever that the penalty should be reduced, it can then by bylaw reduce the penalty. They can even charge no penalty if they wish, but that is a decision of the local municipality. On all sides of the House we believe in a certain amount of local autonomy, and that decision should be made by the local council.

I say to the member for Hamilton Mountain, if Hamilton city council has a debate about this, whatever the decision, that is democracy and I think the Legislature should allow that municipal democracy to work.

The member for Oshawa was somewhat worried about abuse or exploiting of the system. I point out that the basic philosophy of the bill was passed by this Legislature last year with all that in it. This year we are really making sure there is a little less of that possibility of exploitation by fixing the bill up somewhat.

There is a cap on interest rates. One thing we have put in, and I think this assists the member for Oshawa, is an encouragement for the municipality to lower its rates if prime rates come down, because now it can raise them back up again if the prime goes up, which it could not do in the previous bill.

The member for Scarborough West (Mr. R. F. Johnston) was talking about foreclosures on people with tax arrears and so on. I point out that this is not in any way the subject of this bill. This bill deals only with the interest rates; tax

sales and so on are matters of other legislation. Whereas a municipality may have a tax sale after a certain period of time under various processes, it does not have to. If the municipality in its wisdom decides not to enforce that provision because of economic conditions, it does not have to. We would be monitoring those situations.

The member for Erie (Mr. Haggerty) talked about a municipality borrowing from its own reserve fund. Again, that has nothing to do with this legislation, but if a municipality has its reserve somewhere else and it wants to use it for something else, we certainly do not control a municipality tranferring funds in effect from one bank account to another. With respect, it really has little to do with what interest it may charge on overdue taxes.

With those comments, I hope I have dealt with the questions raised by the members opposite. I thank them again for their support of this bill.

Motion agreed to.

Ordered for third reading.

PUBLIC UTILITIES AMENDMENT ACT

Mr. Rotenberg moved, on behalf of Hon. Mr. Bennett, second reading of Bill 93, An Act to amend the Public Utilities Act.

Mr. Rotenberg: Mr. Speaker, this bill contains two changes in the present Public Utilities Act. The first change would remove the three-month limitation on municipal utilities in the collection of arrears by means of a lien on the land of the owner or the goods of a tenant.

At present, in some municipalities utilities read meters only once or twice a year. If the ratepayer fails to pay his bill, the arrears can easily run to six months or a year before the utility has the opportunity to discontinue the service and press for payment. The present statutory three-month limitation on the securing of arrears by a lien makes it difficult for utilities to collect the full amount of arrears in some cases. Any shortfall, of course, may be picked up through higher utility rates.

The other side of that coin is where there is a three-month limitation, a municipality would be more prone to shut off the service at the end of the three-month period. If the municipality or the utility knows it can put on a lien for an overdue bill for six, seven or eight months, as it can under the new legislation, it would be my opinion that, especially in these times, the municipality would be less prone to cut the hydro or water off because it knows it can get it later, if not sooner.

The second amendment would delete a reference to Ontario Hydro. At present, Hydro is empowered to collect utility arrears under the Power Corporation Act as well as the Public Utilities Act. This has caused some confusion. We feel the removal of the reference to Ontario Hydro in the Public Utilities Act will make it clear that the corporation should proceed under the Power Corporation Act.

With these small changes in the act, which I think are basically technical, I commend the bill to the House.

Mr. Epp: Mr. Speaker, as the parliamentary assistant has pointed out, there are just two changes. It is a fairly technical alteration to what is there now.

I am curious as to what instigated this change. In other words, there must have been a particular philosophy that went into the way the act was drafted a few years ago and why there was the three-month limitation. All of a sudden, some pressure has been brought upon the government, or some changes have been made, because obviously those three-month limitations were in there for a purpose and now they are being changed. I have no difficulty with that, but I am curious to see the sudden change in philosophy now that the three-month limitation is being taken off.

There is another question I want to ask the parliamentary assistant. Ontario Hydro will be exempted from some parts of this act and placed under section 73 of the Power Corporation Act, which it is currently under, and it will be dealt with under that section. I wonder whether there are any differences. In other words, will Ontario Hydro be favoured more under the Power Corporation Act than it is currently under this legislation? Is it because it will be more favoured under that legislation that it has requested the change?

I know from my committee work on the Planning Act, and the parliamentary assistant was there, that under the Planning Act, Bill 159, Ontario Hydro was in there lobbying for favoured status, and with the government majority it looks as if they will get that favoured status. We know over the years that they have always had favoured status in the province as opposed to other utility corporations or whatever, and often even in comparison with other government agencies, boards and commissions.

I just wonder what favoured status they will get if we enact this particular bill today, since

they will be exempted from this act and placed only under section 73 of the Power Corporation Act.

8:40 p.m.

Mr. Breaugh: Mr. Speaker, this bill is a good example of how your view of economics changes your mind in a number of other fields as well. If someone had come to me with this provision a short while ago, perhaps even while I was on a local council and times were not quite as tough as they are now, I would have looked at a bill like this and said: "This just provides some kind of equal status to different agencies that are out there, and it kind of runs parallel situations. If it is possible for a municipality to put a lien against a property, perhaps it ought to be possible for a local public utilities commission to do the same thing."

One would have looked at this kind of bill and repeated the old cliché: "This is housekeeping. It puts things on a parallel basis. It does not change the world substantially. It looks at a situation that is relatively rare; that is, when any form of government puts a lien on someone's property."

I have heard the argument made that putting a lien against a property is the kind thing to do. Generally, I think this concept came about when people were dealing with elderly taxpayers who had a piece of property that might have considerable value but did not have a lot of income.

The argument was made at that time, at least to me, that what this really does is, first, it allows them to postpone the paying of a bill by using the technique of putting a lien against a property so that they do not have to get out of their house and sell it to pay off a bill of some kind.

The second argument made to me was that this really postpones it into the dealing with that estate, so that when that person dies the property will escalate in value—the theory was—and when the lawyers sit down to chop up the estate, the municipality will eventually get its money. It will not do any harm to the taxpayer, because he will be in the ground; it might take a little bit of cash away from others who were mentioned in the will.

When that argument was made to me some years ago, my feeling was that I did not like the idea of a PUC or a municipality putting a lien against someone's property, but probably for very pragmatic reasons that was the way to handle the situation. The municipality would continue to provide the individual property owner with a service; in return, it would get something that is like collateral, and sooner or later all parties would have their needs met. The individual property owner, for the immediate future anyway, would have the service provided to his household. In this instance I suppose it would mean that nobody was going to bang on the door and shut off the utility—the gas, the water or whatever is provided to them—that little lien process would be put that possibility aside.

In happy economic times I think I would have said to my colleagues in caucus: "Listen, this is just a little housekeeping procedure here. It is a matter that gives a PUC under the Public Utilities Act something a municipality has under other acts. We have not seen any dramatic bad things happen; so why not support it and deal with it in that way?"

The difficulty I have with this is very similar to the one I had with the previous bill, and I guess it points out where my personal set of dividing lines are, how far I am prepared to go in saying that I trust that everybody in government these days is going to be kind and benevolent and reasonable. Where I draw my line is in saying, "Yes, but I do not trust the rest of the world that much either."

What I said to my caucus was, "Whether or not this is a small bill that is not going to have a lot of ramifications, I just do not think this is the time to be going around making provisions for putting liens on property." I have a little bit of reluctance about that, understandably, because once again we are talking about people who are not paying their obligations, their debts.

If members want my personal compromise, in the previous bill I said: "Okay, that is not going to have a significant impact. I hope municipalities will use their new flexibility wisely and well." But I am drawing the line here. In essence, I am saying we oppose this bill.

We understand the reasons behind it. We understand the consultation that has gone on, but I am putting forward basic, hard-nosed reality. There are a lot of folks out there who are going to have some difficulty in meeting any kind of bill these days. When it comes to putting a lien against their property, I accepted the argument in good times that this would not impose an economic hardship on a particular property owner. It is a pragmatic device used so that a muncipality, or in this case a public utility, has the ability to get some collateral, and will not be shutting off the water, the electricity or the gas, or whatever it is providing through its public utilities commission, to solve some

problems there.

An argument was made to me in my own caucus by several of my colleagues who said, "That is okay for an individual property owner, but there are instances"—and I know there are—"where tenants in a building suffer for the actions of the owner of the building." In many of our municipalities, the owners of the building do not necessarily have to live in that municipality and do not necessarily have to have a whole lot of care for the people who are their tenants. They bought the building as a business and they deal with it in that way.

They trade buildings just as I would trade bubble-gum cards. Some guys trade apartment buildings; so they could not care less whether the PUC is going to come and shut off the water, that is of no concern to them. What they have is an entity—pieces of paper is probably the closest and most accurate way to describe it for those folks. They are trading pieces of paper back and forth, and the paying of bills becomes an expense. The old profit maxim rolls in there. What they like to do is make money, not pay it out to anybody for anything.

In my own community, I have people who own apartment buildings and who do not see a hell of a lot of sense in paying bills, especially public utility bills. It is not of a great deal of concern to them whether the building is in good shape or bad shape, whether the water is on or off. They are not too worried about whether there is electricity in the building. They understand the laws of Ontario are a little tough for tenants these days; and to try to get some of them to pay their bills is difficult; to try to get the provision of essential services in an apartment building is not easy, that is a bit of a struggle.

I know there are people out there who exploit those laws. They know it is tough for a municipality, or for anybody for that matter, to get them to pay this kind of bill. They will exploit that. There are also those who are a long way away from that physical situation. To them an apartment building on Park Road in Oshawa is a piece of paper. Many of them have never been there, have never met anybody who lived there, do not care, and have the property for purposes of selling. There are problems with folks of that nature.

The ones I am concerned about, though, are the individual property owners. I can think of a number of people in my own town. I know they are people such as I described in discussions on the other bill, industrial workers who are taking the brunt of the economic recession now. The one thing they have, many of them, is a house that is paid for. That is it. Some of them will have a few bucks in the bank, but none of them I have ever met has a big retirement account in a bank benefiting from high interest rates.

These people have what 15 or 20 years ago was seen to be the rightful expectation of an ordinary human being, a worker in a plant: they went out and bought houses—in those days one bought a house for about what one pays for a brand-new car these days—and the houses have been paid for for a long time.

Their houses are the principal asset those human beings have. They use that asset in a number of ways. The foremost one is to have a roof over their heads, a little bit of shelter. That is their prime concern. Most of them are extremely proud of their homes. They may not be grand mansions but they are clean, they are painted, they are trimmed. People have little gardens in the back.

Their pride and joy is their house. These days that pride and joy, that house, is taking on a new perspective, because many of these people are auto workers who made bumpers for 30 years and do not have any money in the bank. What they have is a house.

The asset they have, the thing that might get them through this recessionary period, is the house. The difficulty is that we have gone from a situation where it was seen, by me at least, to be something that will be argued at a lawyer's office 20 years from now, to something which encumbers the use of that property as an asset.

8:50 p.m.

The present hard times dictate to many people in my community and in many others. Across Ontario people are getting out of their homes. Not because they want to; that clearly is not the case. Not because they have found someplace better to live, as used to be the case. And not that they want to move into a larger home with fancier brickwork around the doorway. The fact is they have to sell the house. What this bill does, simple and straightforward as it may be, is to put a lien against that house.

For someone who is a professional person, for somebody who is an investor, the lawyers will be out there querying these things, which will be seen as rather small matters for the most part. But for an individual who is trying to sell the house in tough economic times, the bill encumbers the sale of that house.

Though that may not seem a major thing to most members here, it is for those affected;

even a small lien, one for a relatively small amount of money. If the person had the money to pay the utility, there would not be a lien against his property. What this bill does is to take away one of his options. At the very least it restricts them. One of the options the owner had was to take that asset, that house that had been socked away over the years, and to sell it and get out of a debt position. But this bill puts a lien against it.

Many members here would look at that and say: "A lien against a house is nothing. We will handle that in a couple of hours. I will call my lawyer, who will call another lawyer. Cheques will pass in the banks and that is it." But that is not it for a lot of people. They are unaccustomed to such dealings, they do not understand the process and may not have the cash.

So what may have started out as a very simple premise—"Put some fairness out there, provide the same rules to all of the agencies that are at work in Ontario's municipalities"—in practice may prove to be something that is going to cause individual home owners in Ontario a lot of grief. That is my concern. That is where I am drawing the line for myself and I recommend to my caucus that is where we draw the line as a caucus.

We are prepared to say that municipalities must have some flexibility around interest rates. That is okay. But we do not want to see municipalities or public utilities commissions go to the extent of putting on liens. Normally I would agree with it; normally I would not have a problem with that. But in the present economic conditions I have to recognize that this is doing something to ordinary citizens that I do not want done. This is putting liens against properties and I do not think that is necessary.

I guess I am really expressing my own values in the political system. I expect a public utilities commission to act and react to economic times differently from anybody else in the private sector. If it is a public utility which was bought, paid for and operated with public funds, I expect it to be just a bit more sensitive in tough economic times to the needs of our citizens.

After all, they are the folks who, when they were working, when they were making bumpers in Houdaille Industries Ltd., paid the taxes that brought that utility to town. They are the folks who paid the tax money in property taxes and in provincial income tax. They are the people who made this province wealthy. They created that wealth in the factories and they did it the hard way with the sweat of their brow.

All I am saying is now, in tough times, what I want is for the people who built those public utilities to reap some benefit from them; to get in tough economic times a break that perhaps they normally would not get, or perhaps should not get. I am saying that because they are public utilities they have that added dimension of social responsibility. That is why I am opposing this bill.

There is one other small reason that I want thrown into the mix: the little section about Ontario Hydro which, in a strange and perverted way, says that Ontario Hydro is not a public utility, it is a different animal. We have gone around the block many times before about the wonderfulness of Ontario Hydro and does anybody really run that show over there and is there a minister. There certainly is not a minister on the front bench tonight who is in control of Hydro, or anybody who pretends to be. But even on a good day when the front benches are full, we search continually for the minister of the crown who has Hydro in his grasp.

Over there tonight we have somebody who got mugged in the halls by Hydro, but we do not have anybody over there tonight who can say, "Yes, I used to be the minister who ran Ontario Hydro.

The other little provision in this bill says in principle, "Ontario Hydro is not a public utility." I have to argue that I believe in my world and in my thinking Ontario Hydro is as much a public utility as the Oshawa Public Utilities Commission, put together in much the same way through tax dollars. It is purportedly a utility which was established, developed, operates and provides services for the public and is in a very real sense owned by the public.

I may be naïve but I happen to think that is probably why it is called a public utility and why Ontario Hydro is called Ontario Hydro. It is supposed to be a big thing across the road over there which was bought a long time ago, paid for and built up over the years by the citizens of Ontario. One of the things I expect from them is that they should operate under the same rules, with no differences, as any other public utility in Ontario. I want the same rules to apply to Hydro as apply to anybody else.

That is my second little problem with this bill. I recognize there are good, probably pragmatic, reasons for the bill. Perhaps some members might think I have spoken at some length about a bill that really does not deserve that kind of attention.

I want to say in closing that I believe the

members of the Legislature in these times have an obligation to look at everything that comes in front of us and to look for the good side and the bad side and to weigh all of the decisions that we make. It is not that I anticipate that public utilities commissions around Ontario are going to go out and immediately slap a lien against every unemployed auto worker in Oshawa. I am fairly convinced they will not do that, but I am saying to bring this one back to me three, four, five years from now when I hope this economy is booming and I will look at this kind of bill in an entirely different light.

Now is not a time in Ontario to make any changes however small, however minute, which might take on ramifications which are not really thought through, which might put a burden on people who are clinging to their sole asset. They have lost their jobs, they have lost their dignity. The one thing they have is their house and some small number of them may be able to use that asset as something that will pull them out of the hole.

This particular proposal is not huge in scope but it is something which I believe has some very real ramifications for just ordinary folks down the road. I think it is the duty of members to keep an eye out for these little things. Sometimes what appears to us as an insignificant little alteration to an act turns out to be, for some very real human being in economic duress, the straw that breaks the camel's back. That is my concern with this bill and that is why we as a caucus and I as an individual will oppose this legislation.

Mr. Rotenberg: To deal with the matters raised, the member for Waterloo North (Mr. Epp) asks what was the logic of the three-month lien. I must confess that I think the reasons for that are lost in antiquity. It has been that way for an awfully long time and, for reasons I will explain again in a moment in answer to the member for Oshawa, we feel that three-month limitation is not really proper for these modern times.

Both members asked about a favoured status for Ontario Hydro. I would indicate, as far as I can ascertain, the staff can ascertain and lawyers can ascertain, there is exactly the same power in the two acts—the Public Utilities Act and the Power Corporation Act. It is just that Hydro does not have to be covered under two acts. If it is covered under one act, it is sufficient.

To the member for Oshawa, I say that simply because Hydro is not mentioned in the Public Utilities Act for a specific purpose does not mean that Hydro is not a public utility. It is still very much a public utility and one of the ones of which all members of the Legislature can be very proud.

The same rules apply to Ontario Hydro as to municipal utilities but we do not need to have the rules twice in legislation. That is why we are taking it out of one of these bills.

9 p.m.

I am somewhat intrigued and a little bit surprised at the argument made by the member for Oshawa. I agree with a lot of what he says. He is right except that he comes to exactly the wrong conclusion, because if he believes what he says he should be supporting this bill, except for one thing. If the member is saying that in hard times people should not have to pay their utility bills, if the burden of his argument is that if someone is out of a job he should not have to pay the utility bills and the taxpayers who have money should subsidize him by paying the utility bills out of taxes, I do not agree with it. If that is his argument, so be it.

But if he says people should still be responsible for their obligations and that people sooner or later—and probably later if there are tough times—have to pay the utility bills, I would suggest he should be out in front saying, "Rah rah, this is a great bill to help people."

As I indicated briefly in my opening remarks, right now all municipalities or public utilities can put a lien on a property if the bill is not paid, but they can put a lien on for only three months. So the utility is going to slap the lien on right away. If the member for Oshawa objects to a lien, he should be giving utilities flexibility as we are doing in this bill.

We are saying: "Hey fellows, at the end of 90 days you do not have to slap on a lien to protect yourself. You can put it on six, eight, 12 or 15 months from now. You have time to put on the lien. Give the property owner a chance to pay his bills. Give him a chance to get out of his problem."

If we keep the legislation as it is now, the municipality has only two choices, to put the lien on or to shut off the utility. They do not want to shut it off. They may rather not put the lien on and, therefore, the member for Oshawa would be supporting this bill which says to the municipality, "You do not have to put the lien on right away; you have time."

We talk about the problems if a lien is put on. It really is not very complicated. If there is a sale of the property, in the adjustment the lawyers

adjust overdue hydro bills whether there is a lien or not. The lien is automatically taken off. If a lien is put on by a utility and the property owner in good time pays it back, the utility releases the lien. It is not all that complicated. It is not a serious matter at all.

The member for Oshawa says, "The members of the public have this one asset, their homes, and they want to use this asset to pull themselves out of a hole." I agree. But they should also be able to use this asset to protect their hydro, water, gas or whatever, to protect their public utility from being turned off. That is exactly what the bill says. One can use one's house as security to pull oneself out of the hole. One can use one's house to say, "This is my security that I will pay my hydro or water bill when things get better." Because we extend the time, the municipality, the utility does not have to put a lien on them. They have time.

Therefore, I would suggest the member reconsider his position and support this bill to allow those people who are in trouble now the flexibility of keeping their utilities turned on. With those remarks, I ask the support of the House on this bill.

The Deputy Speaker: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinon the ayes have it.

Motion agreed to.

Ordered for third reading.

REGIONAL MUNICIPALITIES AMENDMENT ACT

Mr. Rotenberg moved, on behalf of Hon. Mr. Bennett, second reading of Bill 149, An Act to amend certain Acts respecting Regional Municipalities.

Mr. Rotenberg: Mr. Speaker, this bill amends several regional acts in many ways. Some of these have already been passed in the Municipal Act we passed in the spring. Some provisions of the bill are as follows.

The interest accumulated rate on debentures, sinking and retirement funds will be raised from five per cent to eight per cent in all regions. That is for calculating how they deal with their sinking funds. The bill will qualify the right of those regions that provide direct water and sewer services to collect amounts owing on utility bills as taxes. In those regions that provide sewage treatment plants to treat sewage collected by area municipalities, the regions will be able to pass bylaws setting out terms and conditions for accepting septic tank waste transported to the facilities.

The regions of Durham and Halton will gain stronger waste disposal powers and will also, along with the region of Waterloo, be able to produce and sell energy from waste. The bill will allow the Ontario Municipal Board to divide or redivide the school divisions in Ottawa-Carleton into zones upon application by either the Ottawa school board or petition by the public school electors. This will then make the Ottawa school division similar to any other ward boundaries throughout the province.

The bill will also eliminate the need in certain cases for an area municipality in the region to obtain Ontario Municipal Board approval of sewer and transit rates levied by the area municipality. The bill also corrects certain references in particular regional acts, simplifies road closing procedures in Halton and will revise certain boundary descriptions in Waterloo.

I have one amendment which appears four times in the bill and which I will pass to the opposition critics. Therefore, after the bill has second reading, I would request this go to committee of the whole House to introduce those amendments.

Mr. Epp: Mr. Speaker, when these amendments come up for regional municipalities I am always curious as to what philosophy the government is espousing in introducing them. As is known, we have An Act to amend certain Acts respecting Regional Municipalities which comes up in the spring. We have another one which comes up in the fall. Next spring I expect we will have another and next fall another. At worst, we have one per session. We often have two of them. We have these acts that come up on a fairly regular basis and we keep bringing new amendments in. I am curious as to why these amendments are coming forth.

Is it the purpose or intention of the government to bring in complete uniformity among all the regional municipalities in the province? Is it its intention to make sure the region of Ottawa-Carleton is exactly the same as the regions of Waterloo, Halton, Durham, Niagara and so forth to the point where it can make them uniform?

We notice it is encouraging a lot of regional municipalities to build large edifices. I know my colleague from Niagara has often spoken very eloquently against the edifice the regional municipality is building in honour of its chairman and other members.

They want to enshrine, to make sure that

nobody in the next thousand years will ever dare think of removing any regional municipality from this great earth of Ontario. Right across from that great university, Brock University, they have this great edifice. Millions of dollars of taxpayers' money spent at a time when restraint should be practised and the regions, at the encouragement of the province, are building these large structures.

Of course, there is no referendum being taken before this expenditure is made. Mr. Speaker, I know you would be opposed to this extravagance but certainly a lot of your colleagues are encouraging it.

Interjection.

Mr. Epp: Maybe in his own riding he would be in favour of it, or opposed; I am not sure what that means.

Mr. Rotenberg: Now back to the bill.

Mr. Epp: Mr. Speaker, I did not interrupt him. Maybe he could—

Interjection.

The Deputy Speaker: I am enjoying this.

Mr. Epp: Another point inherent in this piece of legislation is that what we are doing here is taking more powers away from the local municipalities and giving them to the regions. I know it is only a little and there is a certain amount of uniformity being brought in, but when the uniformity is being injected in these pieces of legislation it is always at the expense of the local municipalities.

I challenge the member for Wilson Heights to give us a single example where uniformity has been brought in through legislation involving regional and local municipalities and, where there is a change of responsibility, where the sacrifice is not made by the local municipality rather than by the regional municipality. I dare the parliamentary assistant to the absent member for Ottawa—what is his riding?

Mr. Boudria: Ottawa South.

9:10 p.m.

Mr. Epp: —the absent member for Ottawa South (Mr. Bennett) to give us one single, solitary example where uniformity has been brought in at the expense of the region rather than at the expense of the local municipality.

Speaking of the absenteeism of the member for Ottawa South, I am glad somebody interjected, because I would have missed that. He is not here again tonight. Since he became Minister of Municipal Affairs and Housing, with the exception of being here for a few hours when the bill that created the Ministry of Municipal Affairs and Housing was introduced for second reading, I do not think he has been here.

That just shows members the kind of attitude he has towards the Legislature when legislation governing his ministry is being introduced. That does not in any way cast any doubt on the ability, the forthrightness, the integrity and everything else that the member for Wilson Heights has. I am sure there are people who would come forth and speak on his behalf at any time. But the fact is that the minister is not here. He should be known as the minister of absenteeism as far as the Legislature is concerned.

Back to the bill.

Mr. Bradley: Does this bill have anything to do with municipal government? If it does, I will speak on it.

Mr. Epp: Oh, it sure has. Just to answer my colleague the member for St. Catharines, who is a very able member of this Legislature, Mr. Speaker, as you well recognize, it is taking a lot of powers away from the local municipalities and giving them to the regions, and I hope the member for Wilson Heights will try to give us some examples a little later on of where the reverse has taken place.

Getting back to the bill, I want the parliamentary assistant to try to explain what is happening in Ottawa with the way these school board districts are set up because, despite the fact that he indicated earlier that uniformity was being brought in and this was going to be exactly the same as it is in other regional municipalities in the province, it appears from the way this is drafted that uniformity is not being brought in but that it is fairly different from some of the other regional municipalities.

I have one other point. With respect to section 6, I notice that 60 days' notice must be given to the region by local municipalities if roads are closed. I presume they are talking here about being permanently closed, to the point where they can be permanently closed. I am wondering how this coincides with legislation as it affects the province. If the province wants to close a road, does it honour these regulations and give at least as much notice to the local municipality, be it a regional, local or area municipality, as it expects one of the municipalities to give to the other?

Mr. Charlton: Mr. Speaker, I will be brief, but only brief in relation to the debate on Bill 179.

Mr. Bradley: I am glad the member did not say he was going to be short.

Mr. Charlton: I already am.

I suppose I will start out at the point where the member for Waterloo North (Mr. Epp) started out and the comment of the parliamentary assistant regarding the continuing absence of the minister. In relation to this bill and the other municipal bills we are dealing with here tonight, the support of this party may very well hinge on the continuing absence of the minister.

This bill deals with a question which has been a vexing problem for a number of areas in the province. The member for Waterloo North touched on some of the problems a number of the smaller municipalities in the province have in their relationships within a regional structure. I think this bill reflects that.

Some of the sections of the bill deal with problems that were created by this government in the way in which it imposed regional government across the province. For example, sections 3 and 9 deal with the question of solid waste disposal. No lower-tier municipality within a region can designate a site for solid waste disposal; only a regional municipality can do that. That fact has caused and is causing some problems in a number of areas around the province. These two sections of the bill will impose that same condition on the regional municipalities of Durham and Halton. So, in fact, it is an extension of problems that have arisen elsewhere.

That has been a problem simply because, within a region made up of lower-tier municipalities, inevitably it is one of those lower-tier municipalities on which a solid waste disposal site is imposed. In Hamilton-Wentworth we had a situation some four years ago where, because the Upper Ottawa Street dump—a dump we have discussed in this Legislature on a number of occasions—was coming to the end of its life as a disposal site in that regional municipality, the region, which was charged with the sole responsibility of designating disposal sites, had to find a new location.

We understand fully that waste has to be dealt with, but it created a situation where the township in which the proposed new dump was to be located opposed the location of that dump site. Because of the regional legislation, the local municipality had virtually no power to stop the imposition of that new dump on the township of Glanbrook. That is just one of the continual examples of how local municipalities, local communities, are gradually losing control over their own destinies, the nature of their lifestyles and the kind of developments that will go on in their local areas. They are losing control of their ability to make their own local decisions about the kind of municipality, the kind of terrain, the kind of lifestyle they want to have.

The federal government, with the co-operation of the provincial government, along with the city of Hamilton, has been trying to impose expansion on a small airport in the township of Glanbrook. I am a member from Hamilton, but I admit the city of Hamilton has been a bully in the situation of expanding the airport in the township of Glanbrook. The same situation arose about the dump site and the municipality had no choice. The region imposed it.

The bulk of the garbage, both domestic from households and industrial from Hamilton's large industrial complexes, is now being dumped in the township of Glanbrook. That is because of these sections already being in force in the Hamilton-Wentworth act. Now they are going to turn around and impose these sections in two other regions of the province. This bill is the kind of bill that continues the escalation of that shift of power away from local communities and local municipalities. For those reasons, we will be opposing this bill.

9:20 p.m.

Mr. Boudria: Mr. Speaker, I would like to outline some of the concerns I have regarding this legislation. Prior to doing that, I would really be remiss if I did not express my disapproval of the minister not being here to carry his bill.

You probably recall, Mr. Speaker, that I have mentioned that in the past. I would have hoped that the Minister of Municipal Affairs and Housing would have some respect—not more respect, but some respect—for this Legislature. If he had only a bit of respect, he would show up here once in a while, carry his bills and engage in debate with other members.

It is fine for him to think he is above all of us mortals as he demonstrated in this House today when he refused to surrender documents I asked him for for the benefit of my constituents. Undoubtedly, Mr. Speaker, you remember the conversation we had this afternoon when I asked the Minister of Municipal Affairs and Housing to provide Ontario Housing manuals so that I could better serve my constituents and perform my duties as a member of the select committee—

The Deputy Speaker: Yes, there was quite a row, but let us get back to the bill.

Mr. Boudria: Yes, I recognize that, Mr. Speaker, but I want to outline to you my disapproval of the actions of the minister.

Regarding the bill, I think the minister should be aware through his parliamentary assistant that I personally would like to suggest to my colleagues—and this is my personal view—that because of the minister's continuing absence in this Legislature, in the future we should very seriously consider dividing on every single bill that is brought by that ministry to show opposition to the actions of that minister. He lacks any kind of respect for this great chamber, and that has to be pointed out as often as we can so that the people of Ottawa-Carleton and other areas are made aware of it.

This bill has a very important effect on the regional municipality of Ottawa-Carleton. That is covered in part VI of that bill. As members know, Ottawa-Carleton area is represented in part by the member for Ottawa South, the Minister of Municipal Affairs and Housing. If he is not concerned with this Legislature, I would hope that at least he would be concerned with the people of his constituency, or does he not care about them either?

I am sure he does not. I am also sure the people will remember the actions of the Minister of Municipal Affairs and Housing, the member for Ottawa South, in the next election.

Getting to some of the things contained in this bill: The member for Hamilton Mountain has raised a concern which I share, and that has to do with the solid waste disposal sites. I can think of the effect that would have on the regional municipality of Ottawa-Carleton. For a number of years I was on municipal council in Cumberland township. At that time we certainly would not have wanted—and I am sure the residents of Cumberland township still would not want—a solid waste disposal site to be forced upon us by the regional municipality of Ottawa-Carleton.

I fear this could possibly be an effect of the enacting of this bill and I hope the parliamentary assistant can clarify that situation. If that is the case, I am personally not interested in that kind of thing going on at all.

Right now, the situation is that municipalities within a region, upon request by the region—at least as I understand it in Ottawa-Carleton—can decide whether or not they want the solid waste disposal site to be in their municipality. I still think that decision should be one that is made by the local municipality rather than by the region. If I am right in what I am saying, I would hope the minister will remove that section from the bill.

I am a little concerned, as well, with some of the things this bill does not cover. Section 21 is of particular concern because—

The Deputy Speaker: Wait a minute, can you do that?

Mr. Boudria: Pardon me?

The Deputy Speaker: You are concerned about the sections of the bill that it does not cover?

Mr. Boudria: No. I said I am concerned about some of the things the bill does not cover. It should cover more things in section 21. Let me give an example.

In section 21 we are discussing school boundaries. While we are amending the school boundaries, it should be known to every single one of us that the Minister of Education (Miss Stephenson), who is not here, of course, should have adopted the report on the governance of French-language elementary and secondary schools. If that had been done, there would have been the necessary amendments made under section 21 to reflect that.

The Deputy Speaker: I think you are sneaking this in.

Mr. Boudria: Pardon me?

The Deputy Speaker: You are talking about something that is not in the bill.

Mr. Boudria: No, I am not. I am talking about section 21 and amendments that should be different to the ones that are there. Section 21 is clearly there and affects the school boundaries in the regional municipality of Ottawa-Carleton, Mr. Speaker. I am sure that you will not deny that, nor, I hope, will the Minister of Revenue (Mr. Ashe).

I think it should be pointed out that in my view the government has done its absolute best not to pass the necessary legislation in time for the elections this fall in order not to adopt the report on the governance of French-language elementary and secondary schools.

Had the government adopted that report, the amendments necessary could have been easily included in the school boundaries there to cover the situation I am now discussing. If the government had enough time to introduce this amendment, they obviously had enough time to introduce that other one as well. One more line in that bill would have ensured guaranteed representation for the francophones of this province.

What did the government do instead? That

report was completed by the committee at the end of March and was given to the Premier (Mr. Davis) in the early days of April. The Premier sat on the report, or did whatever it was that he did with it, and tabled it in this House around May 15. He then asked the various school boards and interested parties in this province to reply to him, without specifying a final date for a reply.

Then he decided that not enough people had replied and, therefore, he could not make the necessary changes which should have been in this bill in time for the fall elections. If the rationale for this action by the government escapes you, Mr. Speaker, it totally dumfounds the francophone population of this province.

It should be pointed out that we are now seeing all kinds of repercussions from the government's failure to act in this area. Need I remind the parliamentary assistant of what we are seeing in Iroquois Falls and in Mattawa in regard to the school problems they have there? All of those situations could have been corrected with the necessary amendments in this bill had the Premier (Mr. Davis) adopted the report on the governance of French-language elementary and secondary schools.

In general, I want to share the concerns expressed by the member for Waterloo North. Whenever streamlining or uniformity or anything else is adopted in relation to the powers between regional and local municipalities, it always favours the regions. I have yet to witness a bill discussing what the government is going to take away from the region and give to the local municipality. If it has introduced such legislation, I would like to have a copy of it to frame and display in a very prominent place to mark the one and only time that this government has not increased the powers of regional municipalities.

9:30 p.m.

It should be known to each and every one of us that regional municipalities are not all that popular across this province. The minister should know that, but of course, since he is never here, he probably does not listen and does not read Hansard either, and is not familiar with what opposition members or any other members have to say about regional municipalities. But I am sure his parliamentary assistant is well aware, and I hope he will inform the minister.

It is no small coincidence that in the past few years this government has not established any new regional municipalities. There has to be more than coincidence to that. Why is there not a regional municipality in the Windsor area, for instance?

Mr. Ruston: Get out of there.

Mr. Boudria: That is exactly the reason. The member says, "Get out of there." That is because the people do not want one, and the government has finally come to the realization that people do not want regional municipalities and have never wanted them.

The Deputy Speaker: You are in trouble now.

Hon. Mr. Ashe: Is that in the bill?

Mr. Boudria: Certainly that is within the context of this bill. The minister is taking powers from the local municipalities and adding them to the regions' responsibilities. He cannot say that is not covered in this legislation.

Interjection.

Mr. Boudria: That is correct. I can see why the Minister of Revenue is embarrassed. He represents part of a regional municipality. It is not popular either, and the people there would want it dismantled, as we do as members of the Liberal Party.

Mr. Breaugh: Mr. Speaker, I must say at the outset that I do not share the regret that the minister is not present. I always find that it does something very pleasant to this House. When he graces us with his absence, the tone of debate in here rises, people are friendlier and there is not that kind of dirty muck-around-on-the-floor animosity spread on both sides.

I am an advocate of the idea that the minister should grace us with his absence all the time. I think it would be just plain good advice to the Premier that he ought to take this minister and really make him absent, get him out of here altogether. It would do a lot towards relationships with opposition members, and it might even do something to enhance the reputation of the government among the municipalities as well. So I do not have any problem, and I leave the invitation open: Any time the minister wants to leave this place, I am grateful for it.

Mr. Speaker, we are going to oppose this legislation. I have to put forth an argument because traditionally this stuff rolls in here in the same form we have now and for some strange reason the members of the Legislature are expected not even to debate the matter but simply to accept these changes to regional municipalities throughout Ontario. The traditional argument is that there is no argument left. By the time it gets in here it has been through all of the regions, there have been consultations with

the Association of Municipalities of Ontario and at this point there is no debate left.

I am unhappy with the form of the bill itself. It makes it very difficult to go through a bill such as this one, which changes some 10 different acts all in one bill—kind of an omnibus approach. There are some in here, quite frankly, that I think are fairly reasonable ways to proceed. There are also a couple I do not agree with. When you roll them all into one act, the changes or the principles that are suggested in this bill are in many cases totally unrelated to one another, and it poses a problem for us. That is to say, the government have put it all in one package on a take-it-or-leave-it basis: "You are playing my way or the high way." I am here to tell them to take the high way. It is as simple as that.

If they want to bring in amendments to various regional municipal governments around Ontario where the members of the Legislature are given an opportunity to examine one principle in one bill dealing with one municipality or one region, we would be happy to look at it on that basis. But the form that is used for regional amendments is one that prohibits us from doing that.

We are allowed to voice our concerns and our opinions about the different sections contained in this bill, but we are not given the opportunity to say, "The first proposal for change in here is a good one, and we support that one; but the next one we do not support and the one after that we do." How does one make the distinction there that we oppose it?

We are going to oppose this bill in principle. We want to encourage the government to try to find a mechanism, if it wants to continue to do omnibus bills of this nature, whereby it is possible for us to make those distinctions. In this bill, for example, I want to make the distinctions. The only way I can do that on second-reading debate is to oppose it. So we are going to do that.

I want to elaborate slightly on that. I think it is important that we recognize that for each occasion when an amendment is put forward to a regional municipality, there are arguments pro and con. It is not quite as cut and dried as the government might like us to believe. There are regional councils which propose changes in their legislation. They work their way through the process and find their way into a bill like this, and, quite frankly, the people in the municipality may not want them.

The purpose of the exercise is to provide to the regions a legislative response, which generally makes minor changes or provides for some uniformity in different regional governments across Ontario. I accept that, but I am saying there is a problem with packaging it in quite this way. On this particular occasion, we are going to respond by opposing the bill in principle.

I think among most people who live in an area of Ontario where there is a regional government, there is a growing concern, which has been stated on a number of occasions now, that the concept of regional government was just fine, but the practice of regional government in Ontario has led to some problems. In many areas, if one asks people on the streets, "What is your regional government doing these days? Is it working well or not?" they will probably respond by saying: "I don't exactly know what it is doing. All I know is my taxes have gone up and I cannot find out who is doing it to me this time."

Even though many of our regions have been in place and operational now for some period of time, there are still questions in the public's mind as to the real need for regional government. There are still discrepancies of some substantial order from one municipality within the region to another, and there are still different perspectives on it.

In my own area, in the region of Durham, there are regional councillors who will give a pretty good argument that the region has done something, has stabilized their municipality. It has, in some of their views, a positive response. Generally, though, in the lower-tier municipalities that were fairly well organized and rather sophisticated prior to regionalization, the argument from the regional councillors is, at best, zero—that it has not really done anything for them.

In the city of Oshawa, for example, the most common comment one can pick up from a regional councillor there is that there has not really been a change pro or con for the citizens of Oshawa. In other areas within that region, one can probably muster an argument that there are some advantages to it, perhaps in terms of industrial development or in terms of provision of the hard services. People in smaller, rural municipalities generally have had access to services they might not have had before, or at least to a level of service.

The argument, and the irony, of course, is that many of them do not want it. Many of them are getting police service above and beyond what they ever thought was necessary, and they do not particularly want that service. I think

that is the nub of the argument in general terms across every region that is mentioned in here. That conflict has yet to be resolved. I am not an advocate of expanding the regions, but I am a realist who wants to recognize that regional government has really fallen far short of its potential. This government itself recognizes that. It is a government that at one time in the early 1970s and through the mid-1970s was gung ho for regional government wall to wall, from one end of Ontario to the other.

As it implemented those regions—and it did so in rather strange ways, I might add—it found that what was once a sound political theory of organizing municipalities has some difficulties when one tries to put it into practice. So just the general reputation of regional government suffered some damage. I must say, in my view anyway, it is damage that it has not really recovered from yet and it may take some time to do so.

As we went through the principles that are enunciated in this bill, there were not a lot of heavy problems with them. I do not have any real problem with the first principle in here which provides for an interest accommodation rate on debenture sinking and retirement funds. That is a matter of administrative adjustment and I believe it is a reasonable way to proceed.

9:40 p.m.

When we get into the second principle that is in here, we see we just had that argument under the previous bill. I stated, I hope with some reasonable amount of detail, what my problems were with that concept. Yet I have the difficulty that, having argued and made up my mind one way that I am not happy with that process being used, I find it pops up again in this bill. The same argument applies. I just think this is the wrong time to be making this kind of adjustment. It is as simple as that.

I do not want to go into the long, involved argument we had before, but I did not like it in that bill and I do not like it in this bill. I think members have to be a little bit leery these days, because very often we see spillover effects from one piece of legislation to another. This is an example of the same thing appearing in a sideways form.

When we go through some of the arguments and some of the changes that are proposed here, we sometimes get into some difficulty. The next proposal is one that deserves a little bit of comment here because, at least in the compendium which is supplied to the opposition critics by the government, there are suggestions which I think are supportable.

The first one on which I want to make a few comments is the solid waste disposal provisions that are in here for two of the regions; one is my own regional municipality of Durham, and the other one is the regional municipality of Halton.

I think this kind of thing is supportable. Here there is an attempt to identify what all of us agree is a problem. The difficulty, of course, is it makes the decision that it will be the region that completes the provision of that service to the public. Again, it tries to get at some of the problems here.

I believe this section, for example, is a supportable concept, even though in my own area and in a number of other places around Ontario there are going to be some problems with this.

For example, one of the recommendations that will be implemented by this bill, is that the regional municipality will be able to prescribe truck routes for hauling waste to landfill sites. Area municipalities also will be given this power subject to approval of the region.

I suspect many members who have not had a chance to sit on a municipal council will say, "Well, somebody has got to decide." It seems to me there is a little sucking and blowing at work here in designating that responsibility to the region and then saying the region may give some of that back to the municipality.

Some of the most vehement fights I have ever seen on a regional council happened over precisely this kind of thing. On paper, it looks like a solution to a problem. In practice, this is where the arguments begin; it is not where they end. Where people on a regional council sit down and say, "We would like to run these trucks carrying waste up this street," people in the local muncipality are not always happy to see those trucks rolling up their streets and so they say: "Listen, I do not want it here. Why don't you take it over here, to the next municipality?"

That is where the problems really come into play, and that is where the arguments are. The proposition that the region will resolve that difficulty is an idea we have to deal with. Obviously, somebody has to do that. I am not sure, for example, whether this represents the kind of consensus we may think it does at first blush. The argument is not quite that simple. Some of our municipalities have had long-standing traditional problems about the transportation of solid waste to disposal facilities. I think there will be some problems there.

In general, I express some support for those two amendments applying to those two regions, but I point out that, in my view, there will be some problems there.

The next amendment is the same kind of thing, because it says that in a number of regions the area municipalities collect the sewage via arterial pipes, the region receives it through trunk lines and transmits it to a sewage treatment plant, and they are not permitted to receive septic waste from private haulers. That poses a problem in some of the municipalities as to exactly what the private haulers do with those septic wastes.

There are some regions that want to split that responsibility. The proposed change deals with that problem of accepting the septic tank waste directly into the sewage treatment plant and would charge for the service. That, of course, is a matter people sometimes used to forget about, and we now see it on the front line. Whenever any level of government does anything, it now wants the right to charge for that service.

The next ones are the kinds of things that I suppose got us into this format. I do not think there are many of us here who really want to spend a whole lot of time on the road-closing procedure in Halton. I think all of us would say, "That is for the people in Halton to decide any time they want it put out." The next one deals with a correction to the Regional Municipality of Niagara Act. Again, we are not going to spend a lot of time on that and probably do not want to.

But the next one is a good example of why this makes it a little awkward. One of the things I want to get on the record too is that the member for Ottawa Centre (Mr. Cassidy) came to me in the spring and said there has been a long-standing debate in the Ottawa region about the Ottawa school board and how its representatives are chosen, about the boundaries of the wards and how this thing goes on.

A number of people approached me, trying to give me some of the background to this argument. The gist of their argument was that they wanted this amendment, which in their view was not exactly what they wanted but at least it was some movement on changing the act. They had fought for it for a long time and they wanted to get this particular chunk of the act through.

At that time I would have been prepared to take this portion of this bill, separate it out and say, "Okay, let us deal with that, because this is a matter that is of some concern to local people, and they had said they wanted these changes in place before this November's municipal election."

Unfortunately, it was not possible to get all the other sections of this act together, to get comments from people in different regions and from people who have different interests. It was not possible to do that; so this is a good example of why I am protesting the process, so to speak. I am told that the changes proposed here are not exactly what people want, or at least the people who bothered to take the time to talk to me about it, but that they do represent a consensus, which is traditionally what we are looking for here.

I think there are some problems there, and I know the member for Ottawa Centre wanted to be here tonight for this debate, because he wanted to put on the record some of the concerns he has had for a long time. Unfortunately, to facilitate the business of the House we have changed the order of the bills to be dealt with tonight. We had expected the member for Ottawa Centre would have had the opportunity to speak in this debate but, unfortunately, because of the change of the ordering of the bills that is not possible. I did want to mention briefly that he has some concerns about this format and about some of the problems that are there.

It is not that we always will be able to get a good discussion going in this Legislature about how people are elected to school boards in Ottawa, but there is provision here for the local member to be in the Legislature when the debate occurs and to give a local viewpoint on it. Again, this is an example of how, if we were able to pluck this part out and deal with it separately, this section of this bill most likely could have been passed in the spring and could have been in place in time for the municipal election this November 8.

I have a little problem with the next section in here, because it talks about the elimination of unnecessary applications by area municipalities to the Ontario Municipal Board for apportionment of area municipality levies to meet required regional levies.

Again, it is perhaps not a major item, but it does pose a problem. Removing that little exercise, which is seen by many to be redundant and unnecessary, also removes at the same time the right of an area municipality to state its case. I am always reluctant to do that. This would be one of them where I would have a bit of a problem with it, and I would have appreciated the opportunity to separate it out, speak directly to that issue and not have to deal with it in a

compendium bill.

Again, to look at the kind of comparisons that are in the principles expressed in this bill, the next section in here deals with a boundary between Cambridge and Woolwich. It simply makes a minor adjustment to the description of the boundary between the city of Cambridge and the township of Woolwich. The amendment has been requested by the city, the township and the regional municipality of Waterloo.

None of us is going to have a problem with that. In the first place I suspect that, although all members are vitally interested in the affairs of both the city of Cambridge and the township of Woolwich, I do not think we want to spend a whole lot of time arguing what will be the boundaries, particularly when one can assure oneself that the city, the township and the regional municipality have all hammered this thing out on their own. I have no problem with that kind of thing; the form is the only problem there.

9:50 p.m.

I am surprised, quite frankly, that there were not more members who took the opportunity to talk about some of the energy-from-waste concepts that are around. This one is from Waterloo and gives the regional municipality waste reclamation powers similar to those at present contained in section 67 of the Municipality of Metropolitan Toronto Act. Similar amendments to the regions of Durham and Halton acts are included in the broader amendments proposed about their solid waste disposal provisions.

This amendment would permit the Waterloo region to extract products and energy from waste and to sell and distribute them as recycled materials, electricity, steam, gas, etc., and it goes on to explain a couple of other proposals. That is precisely the kind of thing I would like to be able to support.

It is a concept that many of us are very interested in, having been a little short on good examples of that kind of thing at work in Ontario over a lengthy period of time. The more the municipalities begin that process and show some interest, and the more this government begins to explore those alternative energy sources and takes them out of the realm of scientific theory and into hard, on-the-ground examples of how that can have an impact on energy savings and make substantial changes in the whole energy picture in Ontario, the more we on this side of the House, particularly in my own caucus, will be very pleased. We would like to see that.

My problem is not with the specific principles. I think my count was something like two for eight where I had some small problems. My problem, as I pointed out, is in the format of the bill itself, to accept the bill as a whole when I know there are principles that I have some difficulty with. I have some colleagues who, unfortunately, will not be able to participate in the debate and thus will miss their one chance in a lifetime to say what they have to say about that section of the bill.

It is unfortunate that we are opposing the bill on second reading, but I think the format of the bill does not give us much choice. I hope the minister is not here. I have expressed my opinion about the minister before. However, the parliamentary assistant seems to be an amiable sort and always tries to provide us with at least some version of information from time to time; or at least things which, at a blink of an eye, appear to be information. There is not a lot of meat there, but at least he tries.

I think it is worth his while to take a look at the the way in which these bills are processed through the House. I have no problem with the way he sets this bill in process, as it goes through local municipalities, regions, consultations with the Association of Municipalities of Ontario and all of that. All I am saying is that it would be worth while, and I thought it worth saying on this one occasion that we would oppose a bill because of it.

I think it would be worth while to find a technique whereby these bills can be dealt with as expeditiously as possible, which I believe is often necessary, and still allow us the opportunity to take a look at very different proposals. In this Bill 149, there are some extremely different proposals. It deals with 10 municipalities and 10 different municipal acts; so a lot of things are rolled into one little ball.

All I am making a case for here is that I think an argument can be made, and I am trying to make it, that some technique should be found whereby members can say "aye" or "nay" to the different ideas that are expressed in these bills.

In general, I do not have any problem with an omnibus bill of this type. I think there are two or three changes which simply make corrections to wordings of different acts. I have no problem with that. Where it gets a little more substantive, it would do us all some good to find a technique of presenting such changes to the Legislature in a form that allows us to say "Yes" to some and "No" to others. That is the reason we oppose the bill on second reading.

Mr. Haggerty: Mr. Speaker, I want to address Bill 149, An Act to amend certain Acts respecting Regional Municipalities. I have talked before about these bills coming in on a package deal and covering four or five different regional municipalities under one amendment bill. I find it difficult to follow sometimes and perhaps even misleading. I think if one wanted to bring in an amendment—for example, to the Regional Municipality of Niagara Act—one should bring in a separate bill, instead of covering it along with four or five others.

It says in the explanatory notes, "The following amendments relate to all regional municipalities with the exception of Niagara, Waterloo and York." Further down it refers to the Public Utilities Act. We have just passed a bill previously, An Act to amend the Public Utilities Act, that would include Ontario Hydro and the municipal hydroelectric commissions. If we are going to be applying a lien against property under the Public Utilities Act, I suggest there is no need to have it under a regional act; it should apply under the Public Utilities Act.

I find that there may be difficulties in this area as they relate to persons receiving general welfare assistance. If we look at the economic conditions we are facing now, we will have more persons applying for welfare. What some land owners have brought to my attention is that they have difficulty now in collecting the rent because many of their tenants are receiving general welfare assistance. If a landlord says, "I am charging you so much rent and you have to pay for utilities yourself," but the tenant does not pay for the utilities, it means the landlord will be picking up that extra cost on a lien to the property.

This may cause some difficulty later on where many persons on lower incomes may not be able to rent property because the landlord is going to take a look at this bill and say: "I am going to be saddled with this cost; so I am going to increase the rent sufficiently to cover the loss of, say, a water bill." That is one area I am concerned about.

The other area of my concern relates to sections 3 and 9 regarding the regional municipalities of Durham and Halton. In taking a close look at the explanatory notes, I see that they says: "No private person or municipality outside the region may set up a solid waste disposal facility in the region without the consent of the regional council but a refusal to grant consent may be referred to the municipal board, whose decision is final."

I could accept that if it were to apply to all regional governments in the province and to other municipalities. The reason I draw attention to this is that we now have a solid waste disposal commission or board under the chairmanship of Dr. Chant. If the members have read that body's latest study on areas suitable for solid waste disposal, they will know that it can come into any municipality and pinpoint a particular area as an industrial solid waste site without any approval from or discussion with the local municipality.

I can see that there are some merits in the amendments as they relate to Halton and Durham, in that at least we have someone who says, "Wait a minute; we do have legislation here that applies and it says you cannot do this," and there is public input through the Ontario Municipal Board. It is a good piece of legislation, but it should apply not only to those municipalities defined in the bill but also to other municipalities. I think all municipalities should have the same rights to some areas of protection so that you do not have other boards or commissions coming in and saying: "This is where it is going to be."

Section (b) of the explanatory notes relating to sections 3 and 9 says: "The regional council may prescribe truck routes on regional roads for hauling waste to a facility and the council of an area municipality may also do so for its roads, subject to the consent of the regional council."

When the Regional Municipality of Niagara Act was introduced, the reason given as to why it had to come about was that many of the municipalities were not viable. The same reasoning applied to the formation of the county school boards; it was said that local municipalities did not have viable boards. By changing the boundaries of local municipalities under regional government, bringing townships into cities and towns, they became more viable units.

As I look at the intent of the amendments relating to the Ottawa-Carleton school board, what the government is saying is, "There is kind of a viable unit there; you can establish your own school boards within that boundary." It is hard to figure out the direction the government is taking. One minute it is pushing for regional government and the next minute it is trying to bring in smaller, viable units in regard to school boards.

I suggest that this section means local municipalities are losing more and more of their ability to administer their own affairs locally. They have to have the consent of the regional

council. I do not think that should be in any bill.

10 p.m.

The note on section 17 of the bill reads: "The subsection added dispenses with the necessity of obtaining municipal board approval where an area municipality imposes a sewer mill rate to defray the regional sewer levy imposed on it, provided the rate applies only to the property that is situate within the area of the special benefit defined in the area municipality by the regional council." This refers to the regional municipality of Ottawa-Carleton.

The point I want to bring to the attention of members is that this proposed amendment is one I cannot accept either. I think the public, the taxpayers, should have thatright to an objection and it should be heard by an impartial body such as the Ontario Municipal Board.

I was on the select committee in 1970 that dealt with whether we should do away with the Ontario Municipal Board. The committee, under chairman John MacBeth, made a final report suggesting that the board had a key role to play in relation to the municipalities. The general public, the taxpayers, have some right to have their grievances heard. To remove that right of a taxpayer is not in the best interests of the municipality or the taxpayer.

If this applies to one municipality, next it will apply to the regional municipalities of Niagara, Wentworth or Hamilton. The public has no access to any recourse on local government decisions. They will not be entitled to their day in court before the Ontario Municipal Board. That is a rather important amendment that should be looked at very closely.

There was another section defining a water area. The same thing could apply there, or to charges for sewer disposal coverage. For example, in the town of Fort Erie, in 1965 there was a report done by the township of Bertie, before it was amalgamated through regional government into a large corporation, the town of Fort Erie. A sanitary sewer study was done of the whole community.

At that time it was going to cost the township about $4.5 million to have it completed by the year 1970, but when regional government came in in 1969, that was shelved. I do not know what priorities the region has established, but there are areas now that are fully developed, subdivisions have been completed and there is an area called Erie Beach, which is perhaps one of the oldest parts of the municipality, that sits between two areas serviced by sewers. It is only about four or five small streets, not more than two city blocks. For some unknown reason, they forgot to have the sewer services installed. Today they are having difficulty getting that area serviced and it is causing quite a health problem. They do have septic tanks.

If we accept the principle of some of these amendments to the regional bill, and hope they do not apply to the region of Niagara, that would mean those people would be charged for sewer services but would not receive the benefits, because they are still on septic tanks. They have to have those tanks cleaned out once a year—in that area it might be twice a year, because the ground is saturated with effluent now—and they are paying a double charge to dispose of that waste. Already they are charged for services they do not receive. They have to pay for the use of having the truck to take it away; so there is an extra cost there.

I suggest there are problems with this bill to which some consideration should have been given. Maybe the parliamentary assistant can tell me if these have been approved by local municipalities. Have they endorsed the proposals?

Interjection.

Mr. Haggerty: I do not know. It has never been brought to my attention in the Niagara region that local municipalities endorse such measures as these.

I know there have been difficulties with one of these amendments on municipal waste. I am talking about waste disposal where they had considered, for example, building one central waste disposal centre in the Niagara region. The cost to the outlying areas would be prohibitive today. The cost of trucking that waste material 35 to 60 miles to another site is—

The Deputy Speaker: The parliamentary assistant interjected that is not in the act.

Mr. Rotenberg: That is not in the Niagara section of the act. That is only in the Durham and Halton section of the act.

Mr. Haggerty: I know. What I am saying is when the government brings in a bill like this with so many amendments to different bills, eventually it is tried out in one area and in the next stage there will be amendments back here next spring or later on in the fall saying, "We are going to apply it to other regional municipalities." I am referring to the difficulties some of them are having now, particularly in the Niagara region.

I suppose if I had my way I would be introducing a motion tonight to withdraw the Niagara regional bill because the cost to the

taxpayers there is getting to be prohibitive. I mentioned the one area about providing the services for the town of Fort Erie as it relates to sewage disposal, putting in the proper trunk lines to service those people in that area.

The region cannot do it because it has not set its priorities, but it can spend $6 million on a new building in the city of Thorold. My colleague the member for Welland-Thorold (Mr. Swart) happens to represent that area. At one time it used to be part of the township of Thorold where he was reeve. If I look at the regional municipality and at the bill itself, I have often said he is the godfather of regional government in the Niagara region because he was one of the great proponents of regional government.

I have often considered the history of the county of Welland and my days there sitting as a member and seeing things taking place. I was curious and I objected to regional government at that time. I wanted a public debate on it but we never did receive it.

I know members have sent out briefs or newsletters to their constituents asking questions such as, "Are you in favour of building a new regional office facility, a new centre?" Ninety-odd per cent of them said, "We are opposed to it," but it still went on. I do not know what priorities they set, but I noted in my comments about the godfather of regional government, and sometimes I think the record should be set straight in this area, the member was great for proposing regional government in the area based upon good sound planning and not to destroy the agricultural atmosphere of any municipality.

It is interesting to note that in the end, the location of regional headquarters is on some good agricultural land in the former township of Thorold. We had a regional detention centre built there by the province and where did they locate that but in the township of Thorold. We had Niagara College. That was built in the Niagara region and was constructed in Thorold township right on choice agricultural land.

I could go on and on about the godfather of regional government and how things have turned around and played right into his hands.

Mr. Epp: Are you talking about the member for Welland-Thorold?

Mr. Haggerty: No, I would not. I am just talking about—

Mr. Ruston: Do you mean Mel was in favour of regional government?

Mr. Haggerty: No.

Mr. Breaugh: Was he the godfather of regional government?

Mr. Haggerty: He went to that great Socialist country, Sweden, came back and gave so much praise to the form of government and the regionalism that was taking place over there. I do not have to tell the members about the pitfalls there now. The same thing applies to the region. I thought I should put that on the record. It is too bad he was not here to defend himself on it, but I have often heard him stand up and speak about preservation of agricultural lands.

10:10 p.m.

History shows what did take place in the Niagara region. Look at the assessment he has gained from regional government because all the government institutions are built there: Brock University, Niagara College and the regional detention centre. There was a big subdivision being planned there that I think was in his day, Confederation Heights of all places, right up on top of the escarpment, a beautiful sight.

An hon. member: Does he own that?

Mr. Haggerty: No, he does not own that, but it is there.

When we got regional government, it ended up that in Erie riding we had nothing but pits and quarries. That is what we have, and good farm land has disappeared there too.

Mr. Epp: A lot of the pits.

Mr. Haggerty: An awful lot of pits. I suppose if I had my way I would bring in an amendment to disband or dissolve the regional government of Niagara. If I get an invitation to stand up there at the grand opening of this new $6-million regional centre to congratulate the regional council, I think I would have difficulty in saying I support such measures that put the area into further debt. The regional debt is nothing to be too proud of because it is getting to an area now where it is getting too expensive for it.

I can get into the subject of the cost of police protection and the shortfall of police protection in certain communities that have reduced forces since they went into regional government. It is a rather difficult thing to really accept in that area, and I suppose if there is ever a mandate taken to find out if people support regional government in the Niagara region it would certainly embarrass this government because it would go down. It is one way to put it to the test though. I do not have to tell them that, because

they have only one or two members there now, and the one who just came in there, the member for Lincoln (Mr. Andrewes) just got in by a squeaker.

Mr. Ruston: An overnight guest.

Mr. Haggerty: He could be an overnight guest, as the member says.

Regional government is not working that well in the region, and there are many persons there today who wish they could go back to the old boundaries of the county of Welland, the same as the present school boundaries. I suggest it is empire building that is costing the taxpayers too damned much to support today under restraint policies. If the member wants to bring something forward, he should bring in an amendment to disband the regional government of Niagara.

Mr. Rotenberg: Mr. Speaker, there were some interesting points raised in the debate, and I will try to answer those which are relevant to the debate. There were some points, of course, which were interesting but really had nothing to do with the bill.

It is kind of amusing that some members who are here and, interestingly enough, some members who are not here, raised the fact that my minister is not participating in this debate this evening. I would point out to the members opposite that I do not know how their caucuses operate or how they operate, but we on this side of the House operate as a team. We operate together and we work together, and we have responsibilities.

The division of responsibility between myself and the Minister of Municipal Affairs and Housing is that I have assumed the responsibility of carrying legislation in the House.

From time to time, the members opposite complain about the parliamentary assistants, saying they do not do enough, but then when we do work, they complain on the other side. I think it is really just a little bit of political child's play to object to this sort of thing. When the members opposite have nothing else to talk about, they bring up this nonsense.

I do appreciate the confidence the members have shown in me to be able to carry the legislation, and I am quite pleased to co-operate with them, but I would indicate that we are doing this not only on behalf of myself but on behalf of the minister, who was very much a part of the deliberations in bringing this legislation forward.

The member for Oshawa raised another important philosophical point about this being an omnibus bill. He said, "How can you have a process whereby you could vote for parts of some and against parts of some?" With respect, there are really no great matters of principle in these bills. There are, of course, things which members of the opposition parties can object to.

We have had this type of omnibus bill for many years. The practice has been, basically, that we pass them on second reading and they go to committee of the whole, where I have indicated this bill will go. At that time, any member of the Legislature can vote for a clause or against a clause and get on the record his objection to a bill. To bring in eight or nine different bills, all small ones, instead of the one omnibus bill would be more cumbersome for the House and would not advance the democratic process in any way.

The member for Waterloo North has asked about the philosophy of this bill and extended it to the philosophy of regional government. I would point out to him and the member for Erie that there is no thought of the government disbanding any regional government. There is no thought of the government bringing in any new regional governments.

The reason for the bill being in this form—to the member for Waterloo North—is that it has been a policy that we do not accept private bills from regions. Any regional legislation must be done as a public bill because the original legislation was all done in public bills, as distinguished from various municipality or private bills. That is why these bills come this way. If they were not regions, some of these matters could come in private bills.

Some clauses in regional acts are the same for all regions, the same as they are in the Municipal Act, and some are different. There is no philosophy of the government that says all regions must have similar acts. We do encourage each municipality, as its local option, to bring forward those requests for legislation which fit that municipality specifically.

There is no pressure from the government to say, "This piece of legislation is working well in region A; therefore, all of the regions should have it." Many of these things are brought in at the request of the municipality. This form of legislation allows for flexibility and differences between regions.

The member for Waterloo North also mentioned that the Ottawa school board is different from others. I am sorry if I did not explain this properly in my opening remarks. What I was trying to indicate to the House is that the

process of setting up the wards for the Ottawa school board is the same as the process for setting up wards in other municipalities or other regions. That is, it can be at the initiation of the school board or at the initiation of electors and must be approved by the Ontario Municipal Board.

I did not in any way mean to indicate—and if I did, I apologize—that the actual division of wards is similar to that of other municipalities. It is a unique system in Ottawa, but the process of initiation and going to the OMB is the same as in other areas.

I was asked about road closings in Halton, where objection can be made by the local municipality. I was asked if this was the same for the province. I am sorry I cannot give the exact reference in legislation, but having consulted with the Minister of Transportation and Communications (Mr. Snow), who was here earlier, when the province does close a road it is the policy to discuss and inform the municipality. I am not sure exactly what the legislation would be. If someone really wants that answer, I could get it.

The member for Hamilton Mountain objected to the section on regional waste. I would point out to him this is only for the regions of Durham and Halton. I would point out also that the legislation is here at the request of those councils. Someone is going to say, "That was at the request of the regional councils, not the local councils." But I would point out again that the regional councils of both those municipalities are made up of local councillors and, therefore, it is really local councillors who requested this legislation. I am pleased to see that the member for Oshawa, as part of Durham region, thinks it is good legislation as far as his region is concerned.

I would point out that even if the member for Hamilton Mountain was objecting for other municipalities, the region can, in effect, choose a dump site. As with a number of situations, a dump site is not the most desirable thing to have in your backyard. If you gave every local municipality the veto power, everyone would say, "Sure, we need a dump site, but put it somewhere else." If we recognize that in the 1980s there has to be a place to dispose of waste, then there must be someone with the authority to make a decision.

Mr. Charlton: I was not objecting to the section. I was objecting to the lack of a dispute resolution mechanism. What we, in fact, have is a section which sets municipalities off.

Mr. Rotenberg: Mr. Speaker, I would suggest that the power and the decision-making process have been given to the regional municipality at the request of the elected representatives of that region, and I think that is the way it should be.

The member for Oshawa was discussing removing the requirement to go to the Ontario Municipal Board for certain area levies. With respect, he did not quite understand the purport of the act. Really, what it says is only for Ottawa region because it has special area levies for sewer and transit. What the act says is where the area levy has been made by the regional council on the municipality, the municipality can choose whether to have a general levy or an area levy.

10:20 p.m.

The decision of the local council does not then have to go back to the OMB. It is not transferring power from the local council to the region. It is saying the local council can make a decision and that decision does not have to go to the OMB. It really is not a transfer of power up; it is giving a local municipality more autonomy.

I am aware there may be some particular sections of this act some members would object to. I indicated in my opening remarks I would request this go to committee of the whole House because I have several minor amendments which I have distributed.

At that time, of course, members of the Legislature can discuss any specific section. They may have amendments. If they wish to vote as a group or as individuals against any sections, I would say with respect that is the time to do so. Because there is really no great matter of principle in any of the sections, I would respectfully request that the members allow this bill to have second reading.

Mr. Epp: Mr. Speaker, I am sure the parliamentary assistant accidentally omitted the example I asked him to provide for the House whereby he could give us at least one example where the devolution of power went from regional to local municipalities. Since we have all kinds of examples where it went from local to regional, I asked him to provide us with at least one example of where it went the other way. I am sure it was overlooked. I am sure he has all kinds of examples there for us. I just wonder if he would provide some obvious examples for us.

Mr. Rotenberg: I had it in my notes and I missed it. I do not have examples at the moment, but thanks to my colleague the member for Scarborough West (Mr. R. F. Johnston), one very interesting example of course is the recent

bill on the Toronto Islands which transferred power from Metro to the city of Toronto.

Mr. Epp: Mr. Speaker, in deference to you and so forth, Metro is not part of this bill and I do not think that is a very good example. It is not appropriate at all.

Mr. Speaker: Order. This will be going to committee of the whole House and there will be time then.

Mr. Epp: Oh, I am sure.

Mr. Speaker: The motion is for second reading of Bill 149. All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Ordered for committee of the whole House.

MUNICIPAL AMENDMENT ACT

Mr. Rotenberg moved, on behalf of Hon. Mr. Bennett, second reading of Bill 150, An Act to amend the Municipal Act.

Mr. Rotenberg: Mr. Speaker, this is another omnibus bill and makes a number of amendments to the Municipal Act. I would say, as I did on the previous one, that I will be referring this also to committee of the whole House because I have an amendment. Probably when we get into clause by clause we can deal with any specific objections.

Basically it makes many amendments to the Municipal Act, including the removal of the reference of elector assent to money bylaws. The bill removes the minimum population requirements for the issuance of various types of debentures that provide for payments by the province to replace the municipal and school taxes currently paid by nonprofit hospital service corporations.

The bill also fulfils a commitment made by this government to enable municipalities to operate in French as well as in English. In addition, it makes many minor adjustments and will delete many archaic provisions contained in the Municipal Act.

Without going into the details of each clause, I would recommend the bill to the House for second reading and would be pleased to answer any questions the members have on the individual sections.

Mr. Epp: Mr. Speaker, I am pleased to be able to speak on this bill. It has a number of amendments which I think are very important and which obviously have not been touched on at any length by the parliamentary assistant.

The first is that when a municipality no longer exists, it has to notify the Minister of Health (Mr. Grossman). The Minister of Health, of course, is very busy with his leadership campaign and no longer wants to have these communications, so they have taken this out of the bill and he does not have to be notified any more when that does occur. That is going to be stricken from some of the procedures that currently have to be followed.

The other important thing is the fact that mayors can no longer call out posses. For years now, the mayors have guarded that as a very important right. They have been able to get all the men above the age of 15 out and—

Mr. Conway: No more posses?

Mr. Epp: No more posses. It says here, "... the power of the county; an assemblage of the able-bodied male inhabitants above the age of 15 of a county, except peers and clergymen." I am not sure whether anyone here would fall into the category of a peer. There are some who probably would very much like to and there may even be one or two who would eagerly be in the category of clergyman.

Mr. Conway: First this government attacks privies, and now posses. Is nothing sacred?

Mr. Speaker: Order.

Mr. Epp: What is this world coming to, Mr. Speaker? All the peers of this House could not be called out by their honourable mayors, the lord mayors from their municipalities. It says: "... above the age of 15 except peers and clergymen. The sheriff of the county may summon the posse comitatus to defend the county against the enemies of the crown, or to keep the peace, or to pursue felons, or to enforce the royal writ. Persons failing to obey the summons are liable to fine and imprisonment." Not just a fine or not just imprisonment, but a fine and imprisonment.

"The posse fell into disuse as a result of the establishment of the police forces during the last century." I guess the government has just discovered that we have police forces. Despite the fact that they have this big differential between the money they give to local municipalities on a per capita basis for police forces and the greater amount they give to regional municipalities, they have discovered only now that amendments should be made and this should be stricken from the current usage. "The power to call up a posse remained in law until the repeal of the Sheriffs Act."

I am glad to see mayors no longer act on this piece of legislation. I am sure that my friend over there, the member for Scarborough North (Mr. Wells), the honourable House leader, the former Minister of Municipal Affairs, who is here much more often than the current minister, would not endorse having a posse called out for an insurrection or whatever it was. Anyway, that is going to be amended and I am certainly glad to see that the government is acting in an enlightened way.

The other important thing in this bill is the fact that there are proposals being made that municipalities may conduct their meetings in both English and French. I presume this will mean they are going to be able to have simultaneous translation. I would think that giving this particular permission to muncipalities will also mean that the Ontario government will soon be introducing simultaneous translation in this House so those people who want to speak in French may do so and people who want to listen in French can have that simultaneous translation. Certainly, this particular provision has been given to municipalities and I am sure it is a trial balloon for the introduction of it to the Legislature. Is that correct?

An hon. member: No.

Mr. Epp: That is not correct? In other words, simultaneous translation is not going to be introduced? Is the member speaking on behalf of the government?

Hon. Mr. Ashe: Where does it say anything in there about simultaneous translation? Read it out.

Mr. Speaker: Order.

Mr. Epp: I am saying that is a facility that can be there. Obviously that is a possibility that could be there. The Minister of Revenue says that is not inherent in the legislation. In other words, if municipalities want to have simultaneous translation, they cannot have it. Is that what the minister is saying?

Hon. Mr. Ashe: I did not say that at all. You are the only one saying it is there. Read it out.

Mr. Epp: I am just asking. We notice that this act goes one step further. It provides that municipalities in their regular daily function may communicate with the public in some other language.

On motion by Mr. Epp, the debate was adjourned.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, I would like to indicate the business of the House for tomorrow and next week.

Tomorrow we will be dealing with the estimates of the Ministry of Government Services. We will also deal with the estimates of the Ministry of Government Services on Monday, October 25.

On Tuesday, October 26, we will deal with legislation, second readings and committee of the whole House as required on Bills 174, 150, 145, 146, 131, 132, 177, 176 and 139. On Wednesday, October 27, the general government, justice and resources development committees may meet in the morning.

On Thursday, October 28, in the afternoon it will be private members' ballot items standing in the names of the member for Elgin (Mr. McNeil) and the member for Downsview (Mr. Di Santo), and in the evening we will have debate on the motion for adoption of the report of the standing committee on procedural affairs dealing with agencies, boards and commissions; then, if time permits, debate on the motion for the adoption of the recommendations contained in the ninth report of the select committee on the Ombudsman.

On Friday, October 29, we will consider the estimates of Management Board of Cabinet.

The House adjourned at 10:33 p.m.

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Ontario

No. 126

Legislature of Ontario Debates

Official Report (Hansard)



Second Session, Thirty-Second Parliament
Friday, October 22, 1982

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Friday, October 22, 1982

The House met at 10 a.m.

Prayers.

CHAIRMAN'S RULING

Mr. Wrye: Mr. Speaker, on a point of order: This has to do with a continuation of a point that was raised yesterday by my friend the member for Hamilton East (Mr. Mackenzie), and spoken to by the member for Bellwoods (Mr. McClellan), regarding another ruling of the chairman of the justice committee that we received yesterday. I bring it to your attention knowing full well you do not intend to make any formal comments in this House until Thursday of next week.

I ask you to look at the ruling of the chairman on a procedural motion I put to the committee yesterday, asking that the committee request the new chairperson of the Ontario Status of Women Council to appear before it. The chairman of the committee ruled the motion out of order and widened his ruling yesterday from what I understand it was earlier—when he suggested that ministers of the crown could not be invited before the committee during its public hearings—to include officials of boards, agencies and commissions of this government.

Once again, it seems to me we are setting some very dangerous precedents if we allow such a narrow interpretation of the reference to the committee by this House. Without belabouring the point, I simply ask you to look at the rulings that were made yesterday, as they have taken us another step along the way of denying the rights of the committee to order its own business.

Mr. Speaker: Thank you very much. The matter you have raised is hardly a point of order, but it was raised yesterday by the member for Riverdale (Mr. Renwick) and others. At that time I indicated I would be making a report to the House on Tuesday next. I will take your point under consideration as well.

RESPONSE TO WRITTEN QUESTIONS

Mr. Foulds: I have a different point of order, if I may raise it with you, Mr. Speaker. You will recall that rule 81(d), which has to do with written questions, states, "The minister shall answer such written questions within 14 days unless he indicates that he requires more time because the answer will be costly or time-consuming or that he declines to answer, in which case a notation shall be made on the Notice Paper," etc.

I would like to bring to your attention that, as a result of an oral question I asked on October 1 regarding the study of provincially administered prices the ministry used when implementing the prices section of Bill 179, the Treasurer (Mr. F. S. Miller) said: "I hope the honourable member realizes that we always instruct our staff to be as helpful as they can when he phones for questions. We do not run a closed shop. The very fact that he has this information shows that. If a piece of a paper is not attached to a compendium, and there are many that could be, we make information available as fast as we can should the member want to have access to it."

As a result of that, I tabled question 499 on October 4. It was a very simple question. It asked, "Will the ministry table all studies of administered prices in Ontario used by the Treasury officials in preparing the government's price review program?" Let me add that the Treasury officials had indicated to our research staff that such a study had been done.

Yesterday I noticed the House leader tabled this answer from the Treasurer: "The decision to restrain administered prices was made primarily on the basis that the Ontario government should make a concerted effort to restrain price or fee increases in order to set an example of restraint, rather than on conclusions from detailed statistical analyses or of demonstrated excesses.

"Some studies were undertaken using publicly available information from Statistics Canada but they were by no means comprehensive and were not intended for public release. In general, these reports show the average of prices in the administered sector rising by more than the average of other 'free market' prices over the past six months."

I suggest that is not an answer to my written question which asked that the studies done should be tabled. Therefore, will you please have the minister answer the question properly according to the rules of the House and table the

documents, or state clearly that he declines to be open and frank with the people of Ontario and that he declines to answer the question or table the documents?

Mr. Speaker: From the information you have supplied, the minister obviously did supply an answer that you obviously do not agree is an answer. You are seeking more detailed—is that not right? I am sorry.

Mr. Foulds: If I may explain, my question was very straightforward. It was, "Will the minister table the studies?"

Mr. Speaker: Yes, I remember.

Mr. Foulds: He has declined to do that. Therefore, in my view he has not answered the question. According to the rules, he must either answer the question or state that he declines to answer the question.

10:10 a.m.

Mr. Speaker: I guess that is the very point. It is a matter of opinion whether he has answered the question. Technically, from what you have told me, he has supplied an answer. Having said that, I am sure he and his officials will take note of what has been said and that he will respond accordingly. But it is beyond my authority to do what you have asked me to do.

Mr. Foulds: I have one last thought. Surely, Mr. Speaker, the procedure of tabling a document in this House is a procedure over which you do have jurisdiction. It is a procedure that is common in parliamentary processes. The minister has not tabled such a document. If he does not wish to do so, all I wish him to do is to say that he declines to do that, to abide by the technical wording and procedures outlined in the House rules, particularly rule 81(d). It will be up to the House and the people of Ontario to make a judgement on the Treasurer at that point.

Hon. Mr. Wells: Mr. Speaker, could I offer a comment on this point of order? First of all, I think your first observation was the proper one. Obviously this is a matter of a difference of opinion between the member and the Treasurer in the answer that he has given. The member may think it is a very simple answer but I listened to it and I think the Treasurer will explain to him that it is the proper answer for his question. But he will have to ask the Treasurer. We cannot answer that. I would submit that this is the sort of thing that goes on in question period.

I would also like to say that my friend is quite right when he says it is a tradition to ask for tabling of documents in a Parliament or Legislature such as this, but that kind of tabling, to the best of my knowledge, is done by motion of the House. That is not the kind of tabling that is referred to in these 600-odd questions. Reports are asked for. The minister is asked if reports are to be made available, and he will then answer as to whether there are reports and if they are to be made available. But it is quite different from an official motion to table documents in this House, I would submit.

Mr. Speaker: Again, I will say what I said in the first instance, that an answer has been supplied. There is a difference of opinion about whether it is a correct answer and, as I said earlier, it is beyond my authority to adjudicate or make a judgement on who is right and who is wrong. I would suggest the member pursue it further with the Treasurer.

ORAL QUESTIONS

HYDRO RATES

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Energy. The minister is no doubt aware of the history of the suggested increases in hydro rates over the last little while. Ontario Hydro originally came forward with 13.9 per cent, and the Ontario Energy Board came back, after review, and suggested that perhaps 8.8 per cent would be adequate in the circumstances.

The minister is also aware that yesterday Mr. Macaulay, the chairman of Hydro, made a speech in which he outlined some of his suggestions for ways Hydro may generate some extra revenue this year; on one side by some $75 million in proposed inventory cuts and on the revenue side by some sales to Niagara Mohawk Power, as well as to the state of Vermont; all of which would generate about an additional four per cent in revenue—some through savings, some through extra revenue—which would allow Hydro, in our judgement, to cut its rate down to the five per cent level.

Since we are coming up to that magic time when Hydro will be announcing their rate, is the minister going to insist that they conform with the government's restraint guidelines?

Hon. Mr. Welch: Mr. Speaker, I have felt over a period of time we had emphasized that we had already communicated to the chairman of Ontario Hydro that the inflation restraint legislation at present before the House would apply to Hydro, so that it would take that into

account as it gave consideration to the 1983 rate structure. Indeed, I have reason to believe that Hydro is at present going through that process and before long will be coming to some determination as to what that rate should be.

The Hydro board, by virtue of the legislation, has to notify the minister some eight months ahead of time. That is referred to the Ontario Energy Board and this matter has all been the subject of public review. The OEB has come down with its recommendation; we have commented on that, and we have also commented with respect to the inflation restraint program.

The final decision with respect to the establishment of the 1983 bulk rate rests with Ontario Hydro, taking all those factors, and the comments, advice and recommendations that are set out in the report of the OEB, into account.

Mr. Peterson: I am very familiar with the procedure by which the rates are set, but I am also aware that a number of the previous suggestions with respect to the rates were made prior to the government's restraint program. I also recognize that the government has the ultimate control, or should have, over Hydro. As a government it can exercise that, and Hydro should conform with the guideline in order to give credibility to the general restraint program of the government.

I am asking the minister responsible, given the fact that there are lots of ways to find that money so they will not be put under severe financial difficulty this year, to use his authority to make sure they conform to the government guideline of five per cent. Will he use his authority to do that?

Hon. Mr. Welch: The members know that by the legislation and by the traditions that have developed over the years, the Hydro board is charged with the responsibility of providing electricity to the electrical customers of this province at the lowest price feasible consistent with good, sound financial management. That is the whole principle of power at cost.

We have a very competent board in place which has the advantage of reviewing all of these matters. They are talking in terms of new export contracts, of efficiencies with respect to operation as to when they would come into force and when they would realize some of the benefits. The Hydro board is in the best position to judge. There is no question that with respect to their compensation package they must conform to this legislation. They have been so advised.

There are a number of other matters over which they have no control, which will have to be passed through, and the honourable member understands that. Even in the federal restraint program, the whole area of energy was exempt. We have corresponded to the extent that we should to draw attention to government policy in this whole area of inflation restraint, and I feel confident that the Hydro board will take that into account in making its final determination.

Mr. Foulds: Mr. Speaker, if I understand correctly, the minister indicated that Hydro was subject to the government's inflation restraint program. Could he tell me which government inflation restraint program Hydro is subject to? Is it the 13.9 per cent program of Hydro; the 8.8 per cent program of the Ontario Energy Board; the five per cent program the government has slapped on wages; or a zero per cent program? Which of the government's many restraint programs, including its restraint program on the doctors, is Hydro subject to?

Hon. Mr. Welch: Mr. Speaker, the honourable member is a very fair person and I am sure he is not trying to put words in my mouth. He knows that within the last 10 days or so he raised a question in this House with respect to the application of the current legislation, Bill 179. He has a copy of my letter to the chairman of Hydro. I am talking in terms of the application of that legislation in so far as it affects the compensation, that is the wages and salaries paid by Hydro. That applies, and the balance of the factors that are taken into account in determining rates have to be analysed on the basis of controllable and uncontrollable dimensions of those.

Mr. Peterson: The minister is aware, in spite of the fact he has never publicly admitted it, that the Ontario Energy Board does not review all of the aspects of Hydro, indeed all of its management. The system expansion is not reviewed and some 50 per cent of the cost component is not reviewed. They have asked for wider powers to look at the things the government has not allowed them to look at, or failing that is not prepared to look at itself.

10:20 a.m.

I remind my friend I can come up with billions of dollars worth of waste at that organization that has never been adequately reviewed. At the Lennox plant, they wasted $489 million; Hearn, a $166-million write-off mothball. Petrosar contracts are costing the consumers of this province $63 million for deliveries paid for but not taken. Heavy water C plant, $69 million; heavy water D

plant, $416 million; Wesleyville, $460 million. God knows how much the uranium contracts are costing this province; we can only make estimates.

There are billions of dollars worth of waste and the Ontario Energy Board is not looking at that. I am asking the minister to use his authority as the one ultimately responsible to make sure this never happens again. If he was tighter on the dollars, like McKeough was some years ago, we would never have got into some of the problems we are in today with Hydro.

Mr. Foulds: McKeough for Ontario Liberal leader.

Mr. Kerrio: I thought you were the gang that needs a leader.

Hon. Mr. Welch: I thought it was "Nixon Now".

I repeat once again that the revenue requirements of the public utility for the year 1983 as they ultimately reflect themselves in rates have been thoroughly reviewed by the Ontario Energy Board and the OEB has made some recommendations. We have indicated to Hydro the application of the compensation package.

The estimates of the Ministry of Energy are being thoroughly reviewed at the moment. I have not noticed the presence of the Leader of the Opposition at those estimates, although he has been well represented by the member for Niagara Falls (Mr. Kerrio).

Perhaps I should draw attention to the fact that next Tuesday evening at 8 o'clock sharp, the chairman of Hydro and some of the officers of Hydro will be there. No doubt the Leader of the Opposition might like to drop down and chat with the officials of Hydro who will be there at 8 o'clock next Tuesday evening in the committee room that has been set aside for that purpose.

Mr. Peterson: For your information I am going to be there, because the minister may want to ask about the silly speech the chairman of Hydro gave yesterday. I will read from page 9 of his speech.

Mr. Speaker: New question please.

Mr. Peterson: This is Mr. Macaulay to the Empire Club, "The main question is, 'Not how come, but what now?'" That is the question from the chairman of Hydro. I will quote more. He says, "If plants"—

Hon. Mr. Davis: Is that your second question?

Mr. Peterson: This is a new question.

Mr. Speaker: All right, new question.

HYDRO EXPANSION

Mr. Peterson: Mr. Speaker, I will refer the Minister of Energy to the record and then perhaps get his response to it.

Mr. Speaker: Don't read a speech, though.

Mr. Peterson: In his speech, Mr. Macaulay said the following: "If plants which have been built are going to be paid for and not used near their optimum capacity, then the unit cost of electricity tends to rise. That is what I call wasting generating capacity. Just like wasting energy, it costs money."

What he is doing is blaming the consumers of Ontario for not using enough energy rather than blaming himself for building too much capacity in the system, and saying we are paying more because people are not wasting more. In essence, that is what he is saying.

If Mr. Macaulay's thesis is correct, why is the minister now going ahead to spend $10.2 billion for Darlington? Admittedly $500 million has been spent but there is still $9.7 billion remaining to be spent. The last unit which is scheduled to come into service in 1990 will not be needed until 1997 or 1998 at the earliest. If we calculate those expenditures out on a day-by-day basis we are wasting $3.4 million every day by building that plant now. There is a place where the minister can save money and exercise his responsibility; why does he not do that now?

Hon. Mr. Welch: Mr. Speaker, I think it should be repeated, as we have already indicated in this House on several occasions, that one of the great strengths in this province is its electrical capacity. Indeed, it may be very wise and appear to be very clever on the member's part to be hindsighting decisions which require a great deal of lead time. As we read the chairman's speech, he is very open and frank to admit that long periods are needed in order to put certain plants into operation.

There are factors that could influence some of those things over a 10, 12 or 15-year period. But let us take advantage of our strength, let us build on it. Let us have some confidence with respect to economic growth. Let us see the very strong position we are in in this province with respect to off-oil, and electricity is one of the options that can be considered with respect to that.

Indeed, I would think there would be some wisdom—because the Leader of the Opposition is the man who stands in this House wanting to hang crape all the time with respect to the future economically—that we have this particular plus

in our favour and that we can build on it, and in fact take advantage of the leadership which Ontario Hydro and others have shown over the years.

Mr. Peterson: The minister's answer is that we have made serious mistakes, but he is going to take this lemon and now make lemonade out of it. He is not going to cut his losses as a reasonable person would in the circumstances; indeed, he is going to go on and perpetuate the errors rather than clearly face them.

Why will the minister not agree with the Ontario Energy Board and at least allow it to look into the adequacy and effectiveness of the control of capital costs in Hydro? Why will the minister not let it look at system expansion? Obviously, his look and Hydro board's look at system expansion have been wrong.

I would remind the minister that we on this side of the House have been very consistent with respect to his uranium contracts. If he had followed our advice he would not be in the trouble he is today on them; as well as on the system expansion some years ago. He will recall some of the speeches I made as Energy critic. What I am saying is we were right, he was wrong. Why does he not take our advice now at least and cut his losses on some of these wasteful expenditures he is making?

Hon. Mr. Welch: Under the circumstances I think the Leader of the Opposition will appreciate that the Power Corporation Act is very clear with respect to the assignment of responsibilities. It seems to me—though I cannot put my finger right to the page—that yesterday, when the chairman of Hydro was addressing the Empire Club, he made some reference to the very thorough review that was being undertaken by that organization so far as its capital requirements were concerned.

They are very sensitive to the economic situation in which we find ourselves. I would remind members of the strength which is ours with respect to our capacity in this whole energy form. I would think we should rely on the members of the board of that particular public utility to come to some sensible, realistic and pragmatic decisions with respect to these matters.

Mr. Foulds: Mr. Speaker, can the minister explain at this time, in rational terms, the need for Darlington when we have Pickering B and Bruce B coming on stream before Darlington, with an additional 4,000 megawatts of power that we do not need? Can he explain and justify to the people of Ontario the escalating costs of Darlington? They have paralleled almost exactly the escalating reserves in the Alberta Heritage Savings Trust Fund which, before the present election campaign, stood at almost $11 billion, about the price we are paying for one nuclear station that we do not need.

Can the minister explain how he is going to justify to every man, woman and child in Ontario that it is costing each one of those people $1,125 to build Darlington?

Hon. Mr. Welch: Mr. Speaker, would the honourable deputy leader of the third party consider this for just a moment. The Hydro board has a number of matters to take into account with respect to meeting its obligations. I repeat, there is a considerable amount of lead time needed with respect to planning. I also throw into the equation the fact that there is some thermal generation they really are going to have to consider whether or not they want to carry on with. Some of these plants are 30 if not almost 40 years old. I am thinking of the enviromental considerations related to the use of coal. The members of the third party certainly have been very prominent in raising those environmental concerns and the Hydro board would have to take this factor into account.

So there comes this great responsibility to find the balance in order to meet the requirements and also to have this ability to look into the future and to make these decisions. Therefore, one has to read all these factors, make sure they are all put into the model, consider what the balance would be with the various types of generation and then come to some conclusions with respect to need. This is part of the planning process which is going on at Hydro all the time.

Mr. Kerrio: Mr. Speaker, in view of the numbers that our leader has just given the minister in relation to expenditures of Ontario Hydro that have put us some $14 billion in debt and caused every user of Ontario Hydro to have 40 per cent of his payments go to service the cost of Ontario Hydro's borrowings, and in view of the fact that the minister now has allowed the mandate of Ontario Hydro to include alternative forms of energy and conservation, and then to have the chairman suggest it is the fault of the user—

10:30 a.m.

Mr. Speaker: Question, please.

Mr. Kerrio: —will the minister examine the mandate of Ontario Hydro and get them back so they are competitive and providing power at a reasonable price for the people of Ontario and

not hydro at cost, which has gone all out of sight?

Hon. Mr. Davis: What are their rates compared to Niagara Mohawk's?

Mr. Kerrio: What about Quebec? That's hydraulic power at its best.

Mr. Speaker: Order.

Hon. Mr. Welch: Mr. Speaker, I have just one observation with respect to the preamble. I do not read anywhere in the speech of the chairman of Ontario Hydro to the Empire Club yesterday where he blames the user for the problems that Hydro is experiencing.

Mr. Kerrio: Certainly he does.

Hon. Mr. Welch: Will the member give me the page and line? Will he give me the page where he blames the user?

Mr. Peterson: I'll read it.

Hon. Mr. Welch: No, I am—

Mr. Speaker: Order.

Hon. Mr. Welch: My friend the member for Niagara Falls is the one who made the statement. Let him show me in the speech where he blames the user.

Interjections.

Mr. Speaker: Order. The member for Port Arthur; a new question.

Mr. Foulds: Mr. Speaker, I will defer my first question to my colleague the member for Hamilton East (Mr. Mackenzie).

Mr. Kerrio: On a matter of privilege, Mr. Speaker: The question was very direct; the minister asked whether I could tell him where this was in my leader's speech. I just wanted to clarify—

Mr. Speaker: Order.

Mr. Kerrio: May I clarify it?

Mr. Speaker: As a matter of fact, I had recognized you to ask a supplementary. The minister was answering that supplementary. You are not to respond to his question, and neither is he to ask you a question.

STELCO LAYOFFS

Mr. Mackenzie: Mr. Speaker, I have a question for the Premier of Ontario. Is the Premier aware of the further tragic news this morning from Stelco's Hilton works, where there has been the announcement of a further 650 layoffs, bringing to 3,700 the number now laid off from that one plant alone?

Is the Premier also aware of the further news that the entire plant will shut down for the last two weeks of December, including most maintenance—nothing but the basic furnace operations will be maintained—and that Stelco has refused to give any assurance to the union that those workers will be called back following the two-week layoff at the end of December?

Hon. Mr. Davis: Mr. Speaker, I was not aware of the exact numbers or the duration, but I am aware of the further extension. I point out to the honourable member, as we have discussed in this House, that the steel industry, the nickel industry and the automotive sector are areas which in terms of government initiatives at the provincial level are very difficult to contemplate.

I have expressed the concern of this government on a number of occasions with respect to the steel industry—it is not confined to Stelco, it applies also to Dofasco and Algoma Steel—where because of the market situation, both here in Canada and to a very great extent in the United States, the steel industry is facing some serious difficulties.

Late last evening I was watching some of the concerns being expressed by the US steel industry, where their situation is even more difficult than ours in this country. That provides no comfort whatsoever except to try to explain to the member that while I am sure he will have supplementaries—he is going to ask what the government is going to do about Stelco, Dofasco and Algoma—I will be very frank with him: I cannot think of any really relevant provincial initiative that is going to give impetus to the steel market.

I cannot give the member the figures at Stelco as they relate to the auto sector, say, but of course part of the production is geared in that direction. The auto sector is still soft and is still in difficulty, particularly in the United States where, according to my rough calculations, 80 per cent of our auto production goes.

Yes, I am aware of it, we are concerned about it and it is serious. But I shall be very frank with the member: it is not a matter over which this government has any real measure of control.

Mr. Mackenzie: Does the Premier also realize that as a result of the earlier layoffs at Stelco, as of about the first week of December more than 1,100 of the workers in the first wave of layoffs in that plant will lose all recall rights and become permanently unemployed? Has he taken a look at the effects of that on the welfare load and the problems of people in the community?

Hon. Mr. Davis: I have not looked at that in a particular sense, but we are aware of it, not only

as it relates to workers from Stelco but to other workers in this province. The government is not only aware but has communicated these concerns to the government of Canada. The whole question of when Unemployment Insurance Commission benefits run out, etc., is a matter of growing concern to all of us. That has been brought to the attention of the federal government.

Mr. Haggerty: Mr. Speaker, I was interested in the comments of the Premier relating to the steel industry problems in the United States. I am concerned about Stelco operations in Welland. There is a spinoff to the area with high unemployment, particularly at the Stelco operations in the pipe mill. Is the Premier aware of the statements made by top persons in the industry's field at Stelco indicating there was dumping of pipe from other countries? I think one of the countries was Korea; it was from places like that. What steps is the government taking to make sure there is no dumping of steel products in Ontario or Canada? It is being done in the United States and no doubt it is being done here.

Hon. Mr. Davis: There was an indication yesterday relating to the US steel industry, and that would have some impact here, that the policy of the administration there was to reduce the imports into the United States from western Europe. That was done by agreement. The US steel industry was suggesting dumping. I cannot give the history of it. Whether it was actually established in terms of imports into the United States, I cannot comment.

We have heard over a period years that "dumping" has been taking place. Whether this has been proved or whether this is speculation or rumour, I cannot communicate to the member. We have always made it clear to the government of Canada that we expected them to monitor this very carefully, not only in connection with steel but with other commodities if they were, to use the legal definition, being imported into this country at less than a fair market rate.

I assure the member we are constantly reminding the government of Canada of their responsibilities. We ran into a situation about two and a half years ago in British Columbia where a nation in the Far East was reported to have been dumping steel into BC. I think that situation was rectified. I can assure the member that we will, to the extent we have the capacity, keep this matter very much in front of us but most important, we will keep it in front of the government of Canada which controls that situation.

Mr. Haggerty: Reagan signed the documents yesterday.

Hon. Mr. Davis: Yes.

Mr. Mackenzie: I say to the Premier in all seriousness, that surely he cannot get away with telling us in this House that there is just nothing this government can do. The steel industry, along with the automobile industry, is probably the cornerstone of the industrial manufacturing base in Ontario. Surely he is talking to the federal people and with the steel companies now to ascertain the amount of dumping or foreign subsidization of imported steel which is going on. Surely we can do something about many of the issues we have raised here. One small item was raised by my colleague the member for Welland-Thorold (Mr. Swart) about the import last year of $47 million of wrenches. A very few years ago we used to produce most of these in this province.

Mr. Speaker: Question please.

Mr. Mackenzie: Surely the Premier can do something in terms of steam turbines or the various products we are no longer building in this province. Surely there is some validity to a self-sufficiency program in the basic industrial sector. Can he do these kinds of things? Is he looking at them or is he going to continue to tell us he has no leeway to do anything when we are hit with a real tragedy in Ontario?

10:40 a.m.

Hon. Mr. Davis: I will not be provocative on this important issue, but I point out to the honourable member, and I say this very respectfully, there is a tremendous contradiction between the supplementary question and the observations made by the member's acting leader. Here they are, as a party, encouraging the government of Ontario to cancel Darlington when we all know that part of it may be built in advance and that one of the raw materials, one of the manufactured materials going into Darlington, happens to be steel.

Let the member tell the House how he reconciles his last question with what the acting leader of his party said.

Mr. Mackenzie: There is a very easy answer to the specific question but I have a point of privilege, Mr. Speaker. How long is the Premier of the province going to get away with standing up and playing games in his answers to serious

questions? He did not deal with the specific question.

Mr. Speaker: Order.

Mr. Mackenzie: He tried to play a game.

Mr. Speaker: Order.

Mr. Foulds: Mr. Speaker, before I ask a question I would like, as a point of privilege, to point out that if this government put $11 billion into the manufacturing sector of the province that would produce a hell of a lot more jobs than building a nuclear generating station.

Hon. Mr. Davis: Who do you think is building Darlington? It is the manufacturing sector.

HOSPITAL CHARGES

Mr. Foulds: Mr. Speaker, could I ask the Premier a question if I can calm him down a bit? How can he justify, and what does he do to justify his government's program to allow hospitals, including chronic care facilities, to charge for so-called extra or incidental services? As a result of this, the elderly patients in West Park Hospital in York South are charged $14 a month to have their nails clipped when they are unable to do so themselves?

Hon. Mr. Davis: Mr. Speaker, I realize the honourable member is trying to introduce some matters in the York South by-election into question period in the House. I do not quarrel with that. I will endeavour to get that information for him from the Minister of Health (Mr. Grossman) and report to him on Monday.

Mr. Foulds: In the absence of the Minister of Health, does the Premier not think as a matter of principle that an elderly patient who, for health reasons, is unable to clip his or her own nails has a right to have his or her nails cut, not as a privilege or for an extra fee, but simply as a matter of health care and personal hygiene? For elderly people, it can often make the difference as to whether or not they can actually walk.

Hon. Mr. Davis: The member is not going to get me in any way not supporting proper treatment or care, whether it is for an elderly person or somebody the member's age. What does the member want me to answer? Certainly, I am in favour of that.

Mr. McClellan: Mr. Speaker, if it is such a simple matter for the Premier, can he explain to us why it is the practice in nursing homes not to have podiatric care provided to residents as a matter of regular service, but is provided as an add-on service for which people are charged ridiculous amounts? If it is so simple, why does he not speak to the Minister of Health to make sure podiatric care is available as a matter of course to each and every resident covered under our medicare program?

Hon. Mr. Davis: Mr. Speaker, I think there are degrees of care. I am not familiar with and am not an expert in this field as the member obviously is, but I would suggest that perhaps there are degrees of care. I would be delighted to take this up with the Minister of Health and, knowing his talents and abilities, I am sure he will convince the member on Monday or Tuesday when he is here as to the validity of the present government policy.

LESLIE STREET SPIT

Mr. Elston: Mr. Speaker, I have a question for the Minister of the Environment. Would he confirm what we have been advised, that a special memorandum has been circulated around the Ministry of Natural Resources, and to this minister as well, indicating the proper owner of the Leslie Street spit area is actually the Ministry of Natural Resources?

Would he also agree, if that is the case, that the Ministry of Natural Resources must obtain a certificate or permit under section 5 of the Environmental Protection Act for any disposition of waste that occurs there?

Hon. Mr. Norton: Mr. Speaker, if any such memorandum exists, it has certainly not passed before my eyes.

Mr. Elston: Would the minister confirm or deny whether the Ministry of Natural Resources is the owner of that area? Can he also confirm that there is a move afoot to have the spit area transferred, in one manner or another, perhaps by way of lease, from the ownership of the Ministry of Natural Resources to the ownership of the Toronto Harbour Commission to try to avoid the ramifications of Ontario jurisdiction over the environment?

Hon. Mr. Norton: No, I cannot confirm that. The only thing I do recall is that there may be a very small portion of the spit that is thought to be outside the jurisdiction of the Toronto Harbour Commission by just a few feet. I cannot confirm that in specifics. I certainly cannot confirm or deny the existence of any such document. The member might be well advised to direct the question to the Minister of Natural Resources (Mr. Pope). I am sure if such a document existed, it would have been brought to our attention.

Mr. Charlton: Mr. Speaker, I have a question for the Ministry of the Environment on the same subject, the Leslie Street spit. Unfortunately, last week the minister missed my point when he attempted to answer my question by describing the program proposed by his ministry for the Leslie Street spit. I did not particularly need a description of the program. I have seen all the material his ministry sent out to me.

It is clear from the lake-fill quality study that this program is not even capable of screening out half of the contaminated fill coming to the Leslie Street spit. Examples of sites where the degree of contamination was rated as high and which are not designated control areas are: Bloor and Jarvis, Warden and Eglinton, Dundas and Spadina, and even the Queen's Park site. In view of the poor water quality that exists in Toronto harbour, is the minister prepared to either stop the filling on the spit or to ensure that all fill that goes to the spit is tested?

Hon. Mr. Norton: Mr. Speaker, without having to go through the full description of the program once again for the honourable member, if he recalls my response last week, in fact, I did understand his question. I pointed out that the program at present in place is a prototype. We will monitor the operation of the program and the effectiveness of it over the next few months and it may very well be expanded not only within Metropolitan Toronto but also in other parts of the province. I am not prepared to make any determination on that until I can be certain of the effectiveness of it. I would also point out that I do not agree with the member's rather facile dismissal of the effectiveness of the screening.

I would suggest it might be to the member's advantage to sit down with someone from my staff who was involved in the designing of the program so that his understanding might be expanded somewhat. He might then be in a better position to make that kind of assessment, rather than, as some of his background people are wont to do, making facile dismissals, which do not serve the public because they are not based on full information.

Mr. Charlton: Lake Ontario has been recognized by the International Joint Commission as having more serious toxic problems than the rest of the Great Lakes system. The IJC considers that the Toronto harbour is one of the trouble spots in the lake and has mentioned the harbour repeatedly in its annual reports, continually pointing out that there is no noticeable improvement in the harbour.

At the very least, is the minister prepared to make the spit, and the landfilling that is going on in the spit, part of the environmental assessment that is going on in relation to dredging? The spit is, supposedly, designed to contain the dumping of dredged material.

10:50 a.m.

Hon. Mr. Norton: No, Mr. Speaker, I am not certain I could, legally, if I wanted to.

Mr. Elston: Mr. Speaker, in the report made to us on the Leslie Street spit, I wonder why the minister did not include the results of analysis for pesticides? Why, to this point, has he not provided me with an answer to my question on the Order Paper dealing with the tabling of the results of that particular analysis?

Hon. Mr. Norton: The answer to the latter part of the question is that the answer is in preparation. I believe I signed the answer this morning and presumably it will be available to the member very shortly.

It is rather silly of the member to put some 45 questions on the Order Paper, as he has done recently, and then make it his question period exercise during the time which is allotted to stand and say, "Why do I not have an answer yet?" That is rather silly.

I might suggest that the answers to the 45 or so questions he now has on the Order Paper could be speeded up if his party would allocate some of its research resources to my ministry so that, under the restraint program, we could allocate the staff time that is going to be necessary.

The other alternative is that the answer he gets may not be the answer he wants. Although I would like to provide him with full information, that kind of nonsensical approach is not going to be very productive.

Ms. Copps: On a point of order, Mr. Speaker: It is my understanding that each member has the right and privilege to put questions on the Order Paper. It is not up to the minister to question that during question period.

Mr. Eakins: Give your staff some work to do.

Mr. Speaker: It is, indeed, the right of every member to put a question on the Order Paper. The minister is answering a question.

Ms. Copps: He is not answering the question. He is commenting on—

Hon. Mr. Norton: Mr. Speaker, I was in the process of answering the question when the point of order was raised. In response to the point of order, I would suggest to the honourable member that she recall what I said. I was

not questioning the right of a member to ask questions.

Ms. Copps: The minister called it silly. He said it was silly.

Mr. Speaker: Order.

Hon. Mr. Norton: To the best of my knowledge there is nothing in the rules that denies a minister the opportunity to comment upon questions placed on the Order Paper, or on the way in which they have been placed there. If I think that is nonsensical, I will say it is nonsensical—

Ms. Copps: You are making a speech—

Hon. Mr. Norton: —and, my lady, you will not stop me.

Ms. Copps: Mr. Speaker, this is not the answer to the question.

Hon. Mr. Norton: Mr. Speaker, carrying on with the answer to the question directed by the critic: I would simply point out that the information he requested in the question on the Order Paper is being provided to him. That information is available. There has been no attempt not to provide it.

The point of the scan that was done was, primarily, to look for any evidence of polychlorinated byphenyl contamination. That full information has been available in our office to anyone who requested it. The member has requested it and it is on its way to him.

Mr. Speaker: Just before we proceed, I think we will make one thing exceptionally clear. From time to time the members in the House suggest that I take direction from other members. I have made it very clear that I do not. Yet, those people who raise that question from time to time are, perhaps, the very ones who are suggesting that I should follow their advice and I am not going to do that either.

Ms. Copps: It is fair play.

BURLINGTON SKYWAY

Mr. Dean: Mr. Speaker, I have a question for the Minister of Transportation and Communications. In view of the decline in demand for steel in the present economic situation, and because of the important role that steel and its production play in the economy of the region of Hamilton-Wentworth, will the minister explain why, in preparing tender specifications for the twinning of the Burlington Skyway, his ministry is not requiring that steel be used to the maximum extent possible in the construction of the bridge?

Hon. Mr. Snow: Mr. Speaker, regardless of the design or type of construction of that major project, a considerable amount of steel will be used. Our ministry calculates and examines carefully every bridge that we build. In a period of years, we build perhaps several hundred and we use many different technologies for the bridges.

The smaller bridges are normally designed for one technology. It may be for steel, for precast concrete, for ordinary reinforced concrete or for prestressed concrete beams. A number of the bridges built in the past years, not only by ourselves but by municipalities, have been designed for more than one technology. For instance, it gives the bidders an option to bid on either concrete or steel. It is our plan to tender the Burlington Skyway job next year on the optional basis that will take advantage of all the technologies and get us the most competitive price.

As an example, the last large bridge the ministry tendered was the Belleville bridge or the Norris Whitney bridge which is just now being completed. It was tendered on that basis: both steel and concrete. In that case, the steel structure was the winner and I believe it was some $1.3 million less than using concrete. In other words, there was about a 10 per cent saving, a 10 per cent differential between steel and concrete with steel being the winner.

On the other hand, there is another major project which is not one of ours but is one we have been closely connected with because of funding. It is the Burlington Street project in the city of Hamilton, which is a regional municipality of Hamilton-Wentworth contract. That contract was tendered the same way with the two options, one for concrete and one for steel. In that case, the concrete won out over steel.

I was looking over the project last weekend as a matter of fact and it is somewhat interesting that it runs right by the front door of Hamilton's major steel industries. I am told the price differential there was much greater. I believe the contract amount for the concrete structure was roughly $28.5 million and the low alternative bid for steel construction was $33.5 million, a $5 million differential in that project. I guess that is getting pretty close to a 20 per cent saving by using concrete. I think that proves both my own officials and the municipal officials dealing with these large contracts get the best value for the dollar by making the alternatives available.

We have to understand that both the steel industry and the concrete industry are local

industries that like to have some opportunity to share the market.

Mr. Kerrio: Mr. Speaker, the minister has a great deal of latitude as to the medium from which he can build a bridge, and in the past the only criterion really was cost. Given that one medium or the other could meet the load-carrying capacity of the span and all those things, does he not think there might be another area he might have to look into now, that is what particular medium would create the most jobs and have most Canadian or Ontario content? That is another dimension he did not refer to in his answer.

Hon. Mr. Snow: Mr. Speaker, that is quite possible. We could look into that. From my own experience of some 30 years in the construction industry, I would tend to think that as far as jobs are concerned, actual man-hours of work, the concrete structure would provide the most man-hours of work.

I am saying that just off the cuff, from my own experience. Forming and building a concrete structure and placing reinforcing steel is always much more labour-intensive than the structural area. I might be wrong on that. I cannot say, but I think the member is more or less agreeing with me.

11 a.m.

CHARITABLE TAX EXEMPTIONS

Mr. Van Horne: Mr. Speaker, a question to the Minister of Revenue: On a UNICEF mail order form for Children of the World plates, those decorative plates that hang on walls, one must compute an additional seven per cent Ontario sales tax charge, based on the amount of the plates, plus handling and postage.

One can understand that by selling a commercial product UNICEF Canada is competing with other companies selling a similar product for a profit and so must add the seven per cent sales tax, but given that on the mail order form it is stated that the selling price of each plate includes a contribution to benefit the United Nations children's fund, how can the minister justify taxing a charitable donation?

Furthermore, how can the minister justify what amounts to a maximum of $1.75 in provincial tax on federal postage and handling?

Mr. Ruston: A dollar is a dollar.

Mr. Kerrio: Any way we can get it.

Hon. Mr. Ashe: We need the money, that is for sure.

Mr. Speaker, as far as the first part of the question is concerned, regarding the portion of the proceeds that goes to a very excellent charitable organization for very excellent purposes, the honourable member who posed the question has acknowledged the problem is that, in the context of breaking this out, one would find that the organization passing on a portion of the proceeds would be getting full tax credit. It would be extremely difficult administratively, as well as then making individual decisions on other proposals that could come forth from organizations that purport to be or are giving part of the proceeds from whatever to very needy and worthwhile organizations. What I am saying is that it would be impossible to make it fair and equitable.

As to the second part of the question, the inclusion for tax purposes of the costs of any handling, delivery, postage, shipping, etc., is not unusual. That is exactly the case with every commodity that is purchased at the retail level. One of the differences with mail order is that quite often the costs of handling, shipping and/or postage are specifically identified separately. When one buys something in a retail store, one is paying for all those things but at a retail price that includes them before it is posted.

There is nothing inconsistent about that approach. It is completely consistent with the thought behind the retail sales tax, which is the amount that is paid for the commodity by the consumer at the consumer level. That includes things that are bought by mail order. One does not take ownership of the goods until they are received. When they are received, handling and postage charges are included.

Mr. Van Horne: The easy answer to the observation made about breaking out costs is to give them an exemption and let all the money go to the needy children of the world so that they may have the basic necessities of life. That is the easy solution.

With regard to the little boxes we will all see next week with Halloween coming—the boxes that are carried through many communities by the young people on Halloween, in which moneys are gathered to go to UNICEF—can the minister assure us that he is not going to tax the receipts from this particular venture or from other similar things, for example the sales by Boy Scouts on Apple Day? Is he going to tax items such as these too? Assuming that the minister might respond no, I would offer this,

through one of the pages taking it over, so he might make a small contribution to replace some of the money the government is stealing through his silly seven per cent tax on these people.

Hon. Mr. Ashe: Quite obviously my answer is no, we are not taxing it. There are many opportunities within the very fair and reasonable and responsible Retail Sales Tax Act to recognize charitable and other similar institutions and the good works they do and the good works that come about because of their proceeds. To try to twist and distort that the way the member has done is above and beyond him, and I am very surprised that it comes from him.

GAS PRICE INCREASES

Mr. Swart: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. I want to ask it within the context of his enforced wage restraint program.

Does this week's increase in gasoline prices, which makes them now 20 per cent higher than they were in December 1981, shake his indifference to the excessive increases in energy prices and the way they are clobbering the consumers, the farmers and many other segments of our society?

Specifically, does the minister consider it appropriate for the refineries to raise the amount they receive for refining a litre of gasoline by 52 per cent over the level they were at in December 1981?

Hon. Mr. Elgie: Mr. Speaker, I cannot believe the honourable member was serious when he indicated some indifference to these matters on my part, because he knows that is not true.

But I do have to tell him that we have been in the midst of a gas war in this province and there are some adjustments taking place. We have been in touch with the combines investigation branch of the federal government to see if they have any views on whether or not there might be any contravention of that legislation. It is the view of their officials that there is not. Naturally, we are going to continue to observe the pattern of prices in the gasoline industry, following this rather lengthy price war, to see what the final evolution of the picture is.

With respect to the matter the member raised regarding refinery prices, I will have to take that as notice, review it and find out the facts, because sometimes he and I have different information available to us. I do not want to question whether his information is right or wrong, but sometimes we tend to disagree on some things. If he does not mind, I prefer to take that as notice and to review the facts.

Mr. Swart: We have confirmed the facts. The minister will find out again that we are right in the figures we have put before this House.

The minister will realize that I phrased my question in such a way that it had nothing to do with the recent price war which we have had. It related the prices of last December and the increases that have been made specifically by the refinery and incidentally as a result of the ad valorem tax.

The minister mentioned that he had taken this up with the combines investigation branch. I want to ask him whether he is prepared to use the power that he has over retail prices, specifically when this is a matter under his jurisdiction and not under the federal jurisdiction, as it has nothing to do with wholesale prices, to roll back those prices and that unreasonable increase of 52 per cent by the refineries. That is the specific question. Is he going to get involved?

Hon. Mr. Elgie: As I said, I took the question as notice with respect to the information the member provided. He knows the price restraint program of the government applies to administered prices within this government's control.

Mr. Haggerty: Mr. Speaker, on the same thought as the member for Welland-Thorold—

Hon. Mr. Elgie: Buddies, are you?

Mr. Speaker: Order.

Mr. Haggerty: I do not know; I thought the minister was in bed with him at one time. What happened to the member for Sudbury East (Mr. Martel)? Is he his friend any longer? He forgets the days as Minister of Labour.

Mr. Speaker: Order.

Mr. Haggerty: I am sorry, Mr. Speaker.

Mr. Speaker: If you want to have a private conversation, you can carry it on outside.

Mr. Haggerty: Some two years ago I brought to the attention of the responsible ministries, and particularly the Ministry of Energy, the unfair marketing practices that are being continued in marketing gasoline in the Fort Erie area, where there has been a gas war, if we can call it that, for the past two or three years. Is the minister aware that the gasoline outlets in that area are permitting a 40 per cent exchange on the American doctor?

An hon. member: Doctor or dollar?

Mr. Haggerty: I mean dollar—I am speaking

to the doctor over there, once he gets his scalpel out.

Is the minister aware that the practice of dumping gasoline down there has been going on for at least two years? The Americans are getting the benefit at the expense of the Canadian consumers. Is it an unfair business practice? Is there a combine in the oil industry that should be investigated now?

Hon. Mr. Elgie: Mr. Speaker, I do not have any information that would indicate there is, but I will take that question as notice and provide the honourable member with the information he has asked for.

11:10 a.m.

INFORMATION FOR NEW MOTHERS

Ms. Copps: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. The minister is no doubt aware that October is Breast-Feeding Month in Ontario and that an international conference will be held, starting today, at the city hall in Toronto. One of the major topics for discussion is the distribution of commercial literature, in contravention of the World Health Organization code, to new mothers across Ontario.

I wonder whether the Minister of Consumer and Commercial Relations can comment on the kind of information that is available on a commercial basis to new mothers across Ontario and, indeed, is distributed in our hospitals. I am sending over to the minister a copy of one of the misleading pieces of information given to new mothers.

Hon. Mr. Elgie: Mr. Speaker, obviously all I can do is look at the information provided by the honourable member and comment on it at some later date.

Ms. Copps: The minister and his government should be aware that in hospitals across Ontario new mothers are receiving information that is not only misleading but also inaccurate and potentially dangerous to the health of their babies. At the same time, this government refuses to fully endorse the WHO code with respect to the distribution of commercial materials in hospitals. My question to the minister is, who is running this province, anyway, the government or the drug lobbies?

Hon. Mr. Elgie: I can support the member's view that the government is running it and running it well.

Interjections.

Mr. Speaker: Order.

Mr. Wildman: Mr. Speaker, although the minister may think this is somewhat frivolous, I am sure he is aware of the studies that have been done by the World Health Organization and the United Nations and the congressional hearings under Senator Kennedy with respect to Nestlé's operations, among others, regarding their effects on indigenous peoples specifically and the conclusions that they reached.

Is the minister prepared to ensure that these kinds of commercial operations do not continue in our public hospitals but, rather, that mothers receive the kind of information they require about breast-feeding?

Hon. Mr. Elgie: Mr. Speaker, as the honourable member knows, these really are questions which should be addressed to the Minister of Health (Mr. Grossman). I will have discussions with him on this matter.

Mr. Ruston: I have some questions, Mr. Speaker.

Mr. Speaker: I think it is the other people's turn.

Mr. Riddell: They didn't stand up.

Mr. Speaker: Order.

EQUAL PAY

Ms. Bryden: Mr. Speaker, I have a question for the Minister of Labour. In the House last March, the minister rejected the principle of equal pay for work of equal value as a method of overcoming the 51 per cent wage gap between the earnings of men and women on the grounds that it is "impractical and unenforceable."

I want to ask the minister whether he has read the article by Judy Steed in the Globe and Mail of last Monday on the subject of equal pay for work of equal value. In that article she refers to the work of an American economist, Dr. David Thomsen, who is vice-president of William Mercer Ltd., which advises corporations and governments on equal opportunity programs. Lynne Sullivan, a consultant in the Toronto office of William Mercer Ltd., is quoted in the article as saying:

"We have acquired a bias-free job evaluation design from Dr. Thomsen and there is no problem about comparing different kinds of jobs. What is unique about our system is that we can show where sex-based discrimination—"

Mr. Speaker: Question, please.

Ms. Bryden: I am just completing this quote, Mr. Speaker.

"What is unique about our system is that we can show where sex-based discrimination enters

the job evaluation system, and we can change the weighting of factors."

In the light of this development, does the minister still think that equal pay for work of equal value is impractical and unenforceable?

Hon. Mr. Ramsay: Mr. Speaker, before I answer the question, perhaps I could just refer to a statement made by the honourable member to the effect that, if I heard her correctly, the wage differential is 51 per cent. I believe it is higher than that.

As far as the article in the Globe and Mail is concerned, yes, I am aware of it. In fact, I was interviewed by that journalist in respect to the article. At the time that the journalist came in to see me, she told me about this method of measurement that had been developed by William Mercer Ltd. I have instructed my staff to get a copy of that document and to analyse it, and we are planning an early discussion and review of the method that has been developed by William Mercer Ltd.

Mr. Speaker: The time for oral questions has expired.

Ms. Bryden: On a point of order, Mr. Speaker: I wish to correct the information of the minister regarding the wage gap being only 51 per cent; he says it is higher. The 51 per cent figure is the latest one, for 1981, from Statistics Canada. The minister is out of date if he is saying the figure is higher for women.

MOTIONS

ESTIMATES

Hon. Mr. Wells moved that in the standing committee on resources development, the estimates of the Provincial Secretariat for Resources Development be taken immediately following the estimates of the Ministry of Energy.

Motion agreed to.

COMMITTEE SUBSTITUTION

Hon. Mr. Wells moved that the following substitution be made: on the standing committee on administration of justice, Mr. Wrye for Mr. Epp.

Motion agreed to.

House in committee of supply.

ESTIMATES, MINISTRY OF GOVERNMENT SERVICES

Hon. Mr. Wiseman: Mr. Chairman, I am pleased and honoured to put before you the estimates of the Ministry of Government Services for the year 1982-83.

Our priorities are again concentrated on several important areas. Improving service is our main goal. We are continuing to give priorities, therefore, to making it easier for people to reach the government.

Creating employment opportunities in the private sector is a very important challenge for us. Making the best use of our limited resources to meet the ever-increasing demands for service is another. To meet these challenges, we are searching for better ways to improve our efficiency so that we can better serve the people of Ontario directly and indirectly through our ministries, agencies, boards and commissions.

On April 26, 1982, I advised the Legislature of a reorganization of the Ministry of Government Services. This reorganization is aimed at improving our most important product, which is service. As you know, Mr. Speaker, delivery of good services depends entirely on the commitment and dedication of the people who provide this service.

11:20 p.m.

As a farmer, businessman and politician, I know the importance of making use of all the people skills available to us. That is why we are placing an increased emphasis on human resources planning and development this year.

Mr. Kerrio: Volunteers?

Hon. Mr. Wiseman: Not quite.

We recognize that productivity depends just as much on recognition of people skills and opportunities for their development as it does on providing them with the physical resources for the job.

As minister, I feel we must identify and provide every opportunity for private sector job creation in Ontario through Ministry of Government Services program initiatives. I am pleased to report that during the last fiscal year, in the accommodation services of my ministry alone, we generated 10,000 jobs in the private sector through various projects across the province. In this fiscal year, 1982-83, more than 14,500 new jobs will be created in the private sector. It is our sincere hope that these expenditures in capital, repairs and alterations will offer a much-needed economic stimulus throughout the province.

I also wish to point out the very significant contribution made under the Board of Industrial Leadership and Development program in this area. The additional $7.9 million allocated

to my ministry by BILD will provide a further 1,500 jobs in the province this year. Our acceleration in the areas of capital construction, repairs and alterations will be seen from Thunder Bay to Prescott and from Haileybury to Toronto. Virtually every corner of this province will receive the benefits of this very productive and effective program.

I also point out that our policy of buying Canadian is in direct support of the Canadian industry's efforts to produce Canadian systems, processes and products. We, of course, will continue to apply Ontario's preference for Canadian content in all our purchasing decisions. The 10 per cent preference given Canadian firms will continue to ensure that Ontario and Canada receive the maximum benefit from the expenditure of public funds in the private sector.

Members will recall that earlier this month I shared with the House a new initiative regarding the procurement of Canadian-made electrical and mechanical equipment. The person responsible for this is on stream, and we are looking for a lot of progressive things happening in our ministry, along with the Ministry of Industry and Trade, in the next few months to create jobs in the private sector.

I am sure the member for Niagara Falls (Mr. Kerrio) will be very happy with that. Perhaps his firm could even bid on some of these.

The Ministry of Industry and Trade now is providing special staff to work hand in hand with the Ministry of Government Services to encourage Canadian companies to examine these manufacturing opportunities, resulting in further jobs throughout the private sector.

In the design of buildings and renovations, my ministry is increasingly using local architects, consulting engineers and other members of the local labour force. This approach allows the government to distribute tax dollars far more effectively and appropriately across Ontario.

We are also taking action to ensure that government buildings are available to all citizens. In the 1981-82 fiscal year, we spent $450,000 on facilities for the handicapped. A further $500,000 will be set aside this year for that program.

Leasing and leasehold improvements add further economic stability to all areas of this province. Our projected $67 million of expenditure in this regard will allow us an opportunity to ensure the survival of existing local jobs.

While construction is generating employment across Ontario, my ministry is taking further major initiatives in the area of accommodation. Through a series of cost-cutting efforts, we are now maintaining more buildings with fewer staff. Our objective in 1982-83 will be to continue with this type of progressive management and to strive for further effective cost-reduction programs.

I want to make special mention of one of the most important projects in the Ministry of Government Services; that is, increasing access to government by the people.

Members will recall a new mandate for the Ministry of Government Services. This mandate called for us to continue to improve public access to government, to improve service delivery to the public and to take a leadership role in the whole area of information technology so that new technology could be felt in government and benefit the citizens of Ontario.

Early this year, I advised the Legislature of an agreement with the federal government which will benefit all citizens of the province. Through this agreement, my ministry will expand its general inquiry service to assist those who are seeking federal services in Ontario. As a result, direction and service will be provided to more than 8.5 million people. I should say this is through Zenith Ontario and Zenith Canada and it seems to be working quite satisfactorily.

The provincial government now conducts an estimated 85 per cent of all its business by telephone. We estimate that more than 100 million telephone calls each year are handled by provincial government offices throughout this province. New computerized technology will help us immensely in dealing with this type of demand in the future.

My ministry is dedicated to analysing and implementing electronic aids to government access through state-of-the-art computer services such as the Revised Statutes of Ontario, now available in computerized form to many public libraries, lawyers and others.

We are a progressive-thinking ministry prepared to move forward in a constantly changing society. We intend to be leaders in the development of information technology. I am very proud of our achievements to date, but I am also aware of our constant challenge to maintain this leadership role in improving service for the benefit of the people of this province.

I also wish to compliment other ministries for their co-operation in making such progress for, although we have the leadership responsibility in these areas, it is only through a common understanding of objectives and a close working

relationship that we can move ahead as a government.

Our efforts also have been directed to the internal needs of government. Major computerized energy management and control systems have been introduced in the Newmarket courthouse and the Sudbury consolidated government building. These systems also will be introduced in Kingston, St. Catharines and Oshawa to reduce energy consumption and to save operating costs on such items as cooling, heating, electric power, lighting and maintenance.

If I may take a moment to illustrate the type of energy savings we are talking about, I want to look at figures for the Ministry of Revenue building in Oshawa.

It was just a short time ago that the industry standard for energy consumption—and this is very important—in a building the size of the Oshawa project was 45 to 70 kilowatt hours per square foot per year. Projected energy consumption in Oshawa with all the innovative design features will be about nine kilowatt hours per square foot per year. That represents a saving of $298,000 a year at today's prices.

11:30 a.m.

I am sure my colleague the Minister of Energy (Mr. Welch) is delighted by this, to say nothing of the Treasurer (Mr. F. S. Miller) and the people of Ontario. People are visiting us from south of the border to look at what we are able to do with our energy consumption, as well as visiting with the architect in Oshawa, who has been asked by many foreign countries how we are doing it.

Just as a matter of interest to the members, we have done this at a cost that is as low as or lower than the cost of an ordinary building a few years ago, so that our costs have not risen to make this saving.

On energy conservation, I am pleased to inform members that by the end of March 1982 we had reduced our usage by 25 per cent from when we commenced keeping detailed records in 1975-76. This means a saving to this government of $27 million since we initiated this program. In very simple terms, we have saved the energy required to heat and light 54,000 homes. This translates to a city the size of Ottawa. I was really surprised by that. We expect to reduce our energy consumption by an additional two per cent this year and a further two per cent next year.

This year we will be providing leadership and co-ordination in the development of up-to-date computer services for the Ministry of Health in Kingston. We are constantly developing new ideas and exploring new opportunities to improve our services to our client ministries in all of their endeavours.

Revenues from computer services supplied to the client ministries in 1983 are estimated to increase 22 per cent. Today, computers operate at a fraction of the cost per transaction of even a few years ago. As an example, if a particular computer service cost $100 in the fiscal year 1974-75, that would cost $78 today. There have been no inflation adjustments in these figures, so we see that even with the very significant increases in inflation since 1975, our price has actually been reduced for a vastly superior service.

Cost of staff has followed an opposite trend, of course, but the moderate increases in staff we have added to provide computer services show a remarkable increase in productivity. I expect this trend to continue with further cost savings and increased productivity.

New and innovative ideas in our mailing operation will see a saving of about $1 million in this fiscal year. The Ministry of Government Services operates the second largest post office in the country. With 60 million outgoing pieces and 15 million incoming pieces of mail each year, we had to find methods of cutting costs and improving service. We have been able to do this and we will initiate a service that will allow members of the public to drop government correspondence off at any government office throughout the province for rapid, no-cost delivery.

This courtesy service is just another example of our commitment to doing more with less—$1 million less in this area alone.

I might just turn to a few of the projects which will be receiving our attention during the life of these estimates.

A complete plan has been undertaken to improve the services and facilities in this historic Legislative Building. We will be bringing that forward soon.

We will be heating more of the Queen's Park buildings, including this Legislature, with cost-saving steam heat from the Toronto District Heating Corp.

An information bank for telephone inquiries will place all the services provided by this government at the fingertips of the telephone receptionist for delivery to the public.

Relocation of a major computer centre in Kingston for the effective processing of Ontario health insurance plan claims will be faster and

more economical, and will offer improved efficiency to the people of Ontario.

We are in the final stages of preparing working drawings for the new $50-million Ottawa courthouse and construction is expected to start in the spring of 1983.

The building of a $2.8-million addition to the Ridgetown College of Agricultural Technology is now under way. The addition will contain classrooms, laboratories, offices, storage space and auxiliary facilities. I say to the member from that area that I have seen photos of it and have had reports on it. It is really coming along fast. I think it is even ahead of schedule. I am sure all the people in that area who use it will be very happy with it.

My parliamentary assistant the member for York North (Mr. Hodgson), and the Minister of Agriculture and Food (Mr. Timbrell) are opening our new French agricultural college. My parliamentary assistant is taking my place so I can be here for the estimates. I am sure the people in that area will be pleased with it and we will get into phase two right away.

Mr. Haggerty: I am sure the local member was advised of the opening of that.

Hon. Mr. Wiseman: I see he is not here today. I am sure that is where he is. I think he was invited. We do that.

We have recently completed reconstruction and opened the Hills Lake Provincial Fish Hatchery near Englehart. The Hills Lake hatchery is the Ministry of Natural Resources' major brood stock station in Ontario. It supplies lake trout and brook trout eggs to nine provincial government fish hatcheries and stocks lakes in a number of northern and northeastern Ontario districts. I might say we opened that with the Minister of Natural Resources (Mr. Pope) and others a few weeks ago and it will be the most modern one in North America.

There are others and we will continue to show high management standards in the spending of the taxpayers' dollars now and in the future.

Our new management style is one of providing leadership in the development of policies and in the delivery of services. We believe management is most effective when the managers are accountable for their expenditures.

Therefore, in the provision of accommodation we are developing a system whereby the client ministries will be aware of and accountable for accommodation costs, just as they are now accountable for their own direct operating costs. Much work will need to be done before such a system can be implemented. However, we have made an excellent start with the development of an up-to-date space inventory system which will allow ministries to analyse their use of space and to adopt the most cost-efficient accommodation to meet their needs.

In addition, a long-range plan is being developed to rationalize provincial government accommodation throughout Metro Toronto. Through the consolidation of the ministry's head offices which are now dispersed, increased efficiency and service will be assured.

11:40 a.m.

This will ultimately result in a greater utilization of government owned properties and a saving will accrue through the termination of expensive lease costs in the downtown core area. Members will be interested to learn that greater responsibilities are being delegated to our accommodation field offices to permit them to service their clients more effectively. This is just one example of the many ways we are making changes within the ministry to improve our ability to provide better service.

In closing, allow me to say it has been a distinct pleasure to serve the people of Ontario for this past year in the Ministry of Government Services. It has also been a very real pleasure to appear once again to present the estimates of my ministry. I look forward to hearing the comments of the honourable members, considering any new ideas presented and discussing in detail our expenditures for 1982-83. Thank you.

Mr. Chairman: Thank you, Mr. Minister. To refresh everyone's memory, we are discussing the estimates of the Ministry of Government Services and we had the opening statement of the minister. Now, the member for Waterloo North—sorry, Erie.

Mr. Haggerty: How long have you been in the chair?

Mr. Chairman: Obviously not long enough.

Mr. Philip: It doesn't make any difference. A Liberal is a Liberal is a Liberal.

Mr. Haggerty: Thank you, Mr. Chairman. I want to thank the minister for his opening comments. I thought last year's opening statement was a little bit better than the one this year. I thought I should start off with my comments in response to the minister.

In last year's statement by the minister, page 2 talked about the government's sustained commitment to conduct its affairs as efficiently and economically as possible through fiscal restraint and the prudent management of the money the

people of Ontario entrust to this government. It also illustrates the internal economies his officials have been able to effect.

My colleague the member for Essex North (Mr. Ruston) and I were elected to this House 15 years ago—

Mr. Chairman: What is the date?

Mr. Haggerty: It was 1967.

Mr. Chairman: No, no, I mean the day.

Mr. Haggerty: It was October 17.

Mr. Chairman: Oh, it has already passed. Congratulations.

Mr. Haggerty: Yes, it has already passed, that is correct. I thought I would make reference to the election in 1967.

Mr. Chairman: Is this on the estimates? Are we allowed to deviate from the estimates?

Mr. Haggerty: It is definitely on the estimates. I refer back to some of the prudent Treasurers of Ontario, namely the Honourable Charles MacNaughton and the Honourable James Allan. Mr. Allan was a very dear friend of mine. During the election, Mr. MacNaughton said he had news that the government was going to become a comparison shopper. It would set up a central agency to control all buying, keep a watch on the market and get better deals.

The Treasury board did a study for 2½ years and this was going to come forward. Mr. MacNaughton said: "Queen's Park, like all governments, has to ration its expenditures and control its budget in the same way families and individuals do." I am glad that the minister, as a farmer, has some background in the agricultural sector. He knows that pennies count today if one is to survive. I am sure we agree with that.

I think of the expenditures of the province today in relation to what this ministry can do to provide further constraint policies and better services to the communities of Ontario. I refer to the research that was done by the legislative library research service here at Queen's Park, an excellent report on government advertising presented to the standing committee on public accounts.

It is alarming to look at the figures from one election to another. In 1979, the expenditure for running selective ads in newspapers, on radio and television, putting out some good messages to the public of Ontario, was $17.9 million. It is interesting to note that for the last election in 1981 it climbed to well over $40 million. Much of that was unnecessary.

We will be talking about what we can do today in the area of employment. An announcement was made yesterday by the Minister of Community and Social Services (Mr. Drea) saying he has come up with $53 million for a program of improvements and new initiatives to find additional work for those—

Hon. Mr. Wiseman: Can I interrupt?

Mr. Chairman: Absolutely, please interrupt, Mr. Minister.

Hon. Mr. Wiseman: It is just a correction. If my honourable friend looks at the list of ministries that were advertising, the Ministry of Government Services did not spend any of its money on advertising. I want to correct the record. We did not spend any of whatever figure the member gave.

Mr. Haggerty: That is correct. What I am trying to convey to the minister is that he has a responsibility in this area. The province should be under one purchasing agent and that can be handled by his ministry. In the private sector, if we want to go out and buy something, a tool or a car, we put tenders out and there is one purchasing agent who buys it. A large company with 10 or 12 different subsidiaries in the province purchases everything through one purchasing agent.

That is the intent Charles MacNaughton tried to convey in the election of 1967, that the government should be moving in this area. If you had control of this, I am sure with your Scottish background you would have some say in the matter of where this money was being spent, and the question of overlapping services.

The former Minister of Industry and Tourism, now the Minister of Health (Mr. Grossman), had a little pamphlet listing all the different government agencies there are—and I do not have to tell you how many cabinet ministers there are—and, for example, the Ministry of the Environment buys alarm systems, chemicals and paints, automobiles, furniture, fuels and petroleum.

In that area alone, if you had one purchasing agent buying for the province, sending out tenders, think of the money that could be saved. You would not have to go through all the red tape and be embarrassed by the statement about overlapping of ads in the report from the library research services on government expenditures. I am sure that applies to other areas of purchasing by the province.

Last year my colleague tried to bring this to the attention of the minister. This is an area you should be looking at. A central purchasing

agency run by your ministry would have tighter controls on matters, so that you are not buying something that will not even be used. Anybody who has been elected to local government, municipal government or regional government can find out just by looking at the estimates that, year after year, at the end of the year there is a certain amount of capital still remaining that has not been spent. All of a sudden there is a big splurge to go out and spend that, whether they need to or not.

That is what has happened. That is why government has got into difficulties in expenditures. The minister can do more in this area if he is given that authority. The decision will have to come from the cabinet, but just look at the 10-year record of the Davis government in policy management. They have failed us considerably when we look at the waste in government expenditure. They do not understand the word "prudence." Charles MacNaughton and James Allan did understand that word, but this government has failed in that area.

They pursue the policy of putting their self-interest ahead of that of the public. That research report indicates this is what is taking place; that there is a waste of government expenditure in areas which should be controlled by one agency.

11:50 a.m.

I am sure the minister is aware of the C. D. Howe Research Institute. It is a private, nonpolitical, nonprofit organization, founded in January 1973 to undertake research into Canadian economic policy issues, with the emphasis on fiscal, monetary and national trade policy. He may find interesting some of the excerpts from the institution's publication, Accountability and Control: the Government Expenditure Process.

"The expenditure process of any government is both the backbone around which much of the government operates and its nervous system which sends out messages about what is important to government and what actions are to be taken.

"Parliamentary government is, in essence, a 'personal' system of government. Responsibility is vested in, and exercised by, an individual. This is necessary if there is to be an accounting for the use of power. Accountability is not, however, always clearly defined, because a minister's individual and collective roles have resulted in a system of deliberately overlapping responsibilities.

"This growth in government spending has been attributed to a number of factors. One of these was a number of decisions made in 1960 that sought to enlarge the scope and significance of government involvement in redistributive social policies. These decisions resulted in increases in the level of spending of such programs as family allowances and old age pensions and the initiation of new programs such as the Canada pension plan and guaranteed income supplement and universal medical and hospitalization schemes.

"During the 1960s and the early 1970s, attention was focused upon the programs that governments elected to fund, but in recent years this focus has shifted towards the level and growth of government expenditures as a whole and towards the economic implications of this growth. For example, recent debate has emphasized the impact of government spending on the rate of inflation, the effectiveness of government spending in meeting the objectives that people believe characterize a certain policy, and the possibilities for more efficient means of meeting these objectives. Perhaps the most consistent concern has the been the feeling that government spending is simply 'out of control.'

"In democratic government, ultimate authority and responsibility for the acceptance or rejection of a spending proposal rest with the elected members of the Legislature. How real is the power in modern government?

"The principal objectives of a government expenditure process might be seen as providing cabinet with the means of directing the total pattern of government expenditures towards the overall goals or priorities of ministers" —sometimes we have to question the priorities of the ministers—"ensuring that the allocation of resources to specific programs reflects these priorities"—I do not have to tell the minister about Suncor and the $650-million cost that will eventually run to over $1 billion—"enabling a review of the performance and future prospects of the economy, to ascertain whether emerging expenditure policies will be consistent with the economic aims of the government."

I do not have to speak about that in relating the prudence of the former Treasurer to that of the present Treasurer (Mr. F. S. Miller), whose forecasting the last three or four years has been outrageous. It is as bad as that for Ontario Hydro. We do not know in what direction this government is actually heading.

To continue with the objectives: "providing for the evaluation of existing policies and programs to determine which are ineffective or of low priority and should be deleted."

The C. D. Howe Institute's report makes some suggestions for improvements which would clarify what governments view as priorities and how to deal with these priorities.

"These improvements are based on the following principles:

"A key to improved accountability is a better informed and more aware public which has the opportunity to participate in the formation of fairly broad national"—and provincial—"priorities.

"Government itself, in a democratic society, must take responsibility for the priorities it decides to pursue and how it will pursue them.

"While any selection of priorities by the cabinet must, of necessity, be subject to change, the set of priorities that obtain at any one time should be coherent. However, the application of those priorities may present numerous unresolved conflicts calling for continuous, but what may be at times only partly successful, efforts at co-ordination." I hope the minister's comments this morning do not lead us in the latter direction.

"If a system of control is to be effective, activities must be planned as clearly as possible . . . Ultimate control and accountability for the expenditures of government must be exercised by the Legislature." I suppose that is one of the reasons the minister is here before us this morning, to go through that normal exercise.

I was interested in the minister's statement in the House this spring when he said: "The government of Ontario has been providing toll-free service to all Ontarians for the past two years. At the request of the federal government, and in keeping with our continued effort to bring the government closer to the people, we have entered into a joint agreement to provide information access to federal programs for the more than eight million citizens in the province."

That does raise some questions. I think it is well that we do have an open-door policy to the government here. I hope it is a lot better than the one some of the members now have with the government. I raise the question particularly as it relates to the constituency offices of all the members in the Legislature. For example, if we are going to put in a toll-free telephone system so that any person in Ontario can call a government agency, it is well and good. Then again, I also think we must have the same treatment for members who do not, in many cases, have a direct line to Queen's Park from their constituency office.

In my riding, for instance, I do not have a government tie-line, or wide area telephone service line, to Fort Erie. I can get it through the Welland exchange, which gives me Port Colborne and parts of Wainfleet.

There are similar cases. Consider the difficulty the member for Lincoln (Mr. Andrewes) would have in reaching persons who live in Wellandport, an area that has very few ties through an exchange in the Bell system. They pay one of the highest telephone bills in Ontario because every time they pick up the phone it is a long-distance call.

It would be a saving to the government to tie in the WATS line to Fort Erie, because every time I have to make a call to Fort Erie from Queen's Park it is a long-distance call. If I have to make a call to Queen's Park from the constituency office in Fort Erie it is a long-distance call. The total cost adds up to a large amount of money over a year. I suggest to the minister that for a cost of perhaps $300 he could have the WATS line tied into those communities so that better service can be provided through the members' constituency offices. We are being overloaded today with calls, and without a toll-free line it is difficult to cope with them all.

The minister said there are 100 million telephone calls. It is difficult to get through to the Ministry of Revenue about the property tax rebate program. When the government says, "Call us and we will give you the answers," the public strongly resent that they can never get through to that line. However, members have access to certain government agencies and can expedite such inquiries and obtain information much faster than the public can.

I suggest that when the minister looks at toll-free access on a province-wide basis, he also looks at the cost of this program. How many additional staff are required to operate the toll-free telephone lines? For, while he is centralizing a service, he is taking something away from members' constituency offices which could more readily deal with constituents' inquiries and problems.

I bring that to the attention of the minister in connection with the communication system that he wants in order to convey to the public that they have access to government agencies, because it is something I have difficulty with. There are many ways in which he could improve members' constituency office service at less cost than that of some of the recommendations and proposals he has put forward this morning. The government should be assisting the mem-

bers, perhaps, more than hiring additional staff over here to provide services that are not going to be matched by the constituency offices.

12 noon

The minister asked for other suggestions as to how the communications situation in Ontario with other ministers' agencies could be improved. A year or two ago I addressed a question to the Minister of Energy (Mr. Welch) in relation to the memorandum of agreement with Ontario Hydro. If the Minister of Energy cannot produce that, perhaps the minister can get a copy of that memorandum of agreement. We could then have a better understanding of the operations of Ontario Hydro and better communications so the members of the Legislature would be well aware of the intent of Ontario Hydro and that memorandum.

I suppose there are other areas one could discuss. I think I have covered the main points I wanted to raise with the minister. I have some other questions but I want to get into the other debate.

The theme and thrust of the minister's comments in his statement this morning were the job creation program. I mentioned that his colleague the Minister of Community and Social Services has additional funding of some $53 million and he is proposing here to create an additional 1,500 jobs. It is too bad the government did not have a co-operative strategy program to assist the many unemployed persons instead of having each ministry going off on its own little scheme of creating so many jobs.

This ministry could be more effective in the sense of co-ordinating a program so we would have one minister responsible for creating jobs in Ontario. It may take a little glory away from one or two of the ministers. But in a time of crisis such as this there should be a more co-operative pitch by all the ministries, with one co-ordinating ministry. Then jobs would come forward.

A few years ago, my colleague the member for Essex North introduced a special debate in the House on the employment situation back in the 1970s when we had serious unemployment. He suggested a winter works program. There are going to be a number of people unemployed in the province who will be looking for some employment this winter.

I do not have any qualms with the suggestion by the Minister of Community and Social Services as to his program but if it is put under that ministry, it is like saying it is a form of welfare and many people do not want that. They want to work. If that $53 million is combined with other programs, a program could be put together that would be effective and would create employment at least to get them through this hard, tough winter. You will get something in return. The winter works program a few years ago was very effective in this area.

In my community and the other areas down there, the municipalities had projects that had to be looked after. They went out and cleaned out drains and cut the brush to improve some corners on country roads. We got rid of the trees with Dutch elm disease. There are many areas where the program could be improved.

I hope other members and the speaker who follows me will come up with some other ideas to give some assistance. We are willing to co-operate and to work with the ministry on any issue to create jobs for the winter months. We have a problem there. I am sure the dedication and sincere thinking of the minister means he wants something done in this area, but I think he can do a lot more. I think his is the agency, the government arm that can be used as an avenue to come up with a good program through a co-ordinated effort to provide some relief for those persons who unfortunately are laid off work.

It is going to get tougher and tougher. Every time I pick up the newspaper or listen to a radio program from the Niagara Peninsula, I find that more industries are cutting back and there are more layoffs. It is going to be a tragedy if something is not done now to have some form of winter works program.

Maybe we will have to hold a special emergency debate later on. Let us hope we do not have to take that route. Let us hope the minister will come out with a program. There is funding. I know we have talked about prudence, but there is a time to set that aside when there is an emergency, and in the case of so many persons being unemployed, the government has to come back and do it.

The minister mentioned some programs for upgrading and renovating some of the government buildings and some of the proposed buildings they have back in the wings some place. He should bring them forward now instead of waiting until two years down the road. He should get these architects and engineers and get the building going. This is what he has to do. It is the government's responsibility in this area to come forward with a work program now; not a welfare program, but a work program that will create jobs now, not three or four years down the road.

Those are my comments. I appreciate the statements of the minister. I am willing to assist him at any time.

Mr. Philip: Mr. Chairman, I would like to start by saying that of all the ministers I have had an opportunity to deal with, this minister has been the most co-operative, probably the most open, the most receptive to suggestions from members on the other side of the House. In some ways, he reminds me of Jim Auld. I cannot think of a better compliment to anyone in the House than that. He has that kind of flexibility and sensitivity which is not always common among politicians and he has been open, as have his staff.

Mr. Chairman: As a result, you are going to terminate your comments.

Mr. Philip: No, I still have a few comments to make, some of them complimenting the minister even more on some of his programs and some of the ideas he has accepted.

I am surprised the member for Erie (Mr. Haggerty) did not personally thank the minister for this, but one of the great accomplishments of this minister—I admit it was a New Democratic Party request for action and he responded very well—was when we had a problem on this side of the House in the chamber music room with the seat on the john. The minister did respond and he got us a new toilet seat. That has greatly added to the comfort of all the opposition members. I realize that he did not include it in the throne speech and boast about it but I know that he should be proud that he has at least made our days more comfortable.

When the member for Erie brought up the problem of advertising, I may have misunderstood what the minister said. Did I understand him to say that his ministry did not spend money on advertising? My recollection—I do have some figures here—is that in 1981 it was $593,198 combined for Government Services on advertising.

Hon. Mr. Wiseman: We do spend money on advertising tenders but that is the only kind of advertising we do. We advertise that we are calling tenders for a job or for hiring staff or to let the public know. Those are the only areas. I do not think the honourable member would want us to cut back in those areas. We want to let everyone know what we are doing but we do not advertise on other programs. Just to correct the record, for those sorts of things we advertise and will have to continue to spend on advertising, if one wants to consider that advertising.

Mr. Philip: So the figure of over half a million dollars would be advertising for tenders. I realize that is expensive.

The other day I was in a liquor store where there were bookmarks and, if I am not mistaken, those bookmarks had the Ministry of Government Services name on them. Is that not a form of advertising and is that not his ministry that is doing that?

Hon. Mr. Wiseman: I will answer that for the member.

Mr. Philip: In that instance, it was a small liquor store in a very small town. They had 6,000 of these bookmarks and I doubt if they have 6,000 customers in a year in that store.

12:10 p.m.

Hon. Mr. Wiseman: What was the town?

Mr. Philip: The town was Havelock. It is not very far from the minister's riding. It may very well be in his riding.

Hon. Mr. Wiseman: No, it is not. It is in the Speaker's riding.

Mr. Philip: There is a very good liquor store and they do attract more customers, perhaps, than some stores that are less well managed and have less stock. Nevertheless, for a town of that size it sounded like an awful lot of bookmarks. There may well be more drinkers than there are readers and, therefore, I wondered about 6,000 bookmarks.

The minister has commented in response to the member for Erie about the telephone system. One of the things I find is a constant irritant is that, while people in my area—I have heard this comment from other members—know the name of their member, and they may even know what party he represents, they are not yet familiar with the idea that they look him up in the blue pages of the phone book. Those blue pages have been a nuisance.

While we are talking about that, in my particular case, and I know I asked the minister to look into it and to deal with the proper authorities, I happen to have the individual problem that I have a riding that has the same name as the borough. Therefore, when people call and say they want to speak to their MPP or their member of the Legislature, the switchboard asks where they live, and they say "Etobicoke." There are four ridings in Etobicoke. Mine happens to have the name "Etobicoke," and I also cover a part of North York.

I end up with calls for the member for York West (Mr. Leluk) or the member for Humber (Mr. Kells), or any of the other members

concerned. It takes up a certain amount of staff time. I do not know whether the answer is that the government should change the name of the riding and call it "Northwest Metro" perhaps. Then it would not pose a problem any more, and it has been a problem. In any case, the blue pages are not understood, and that may be something the minister may want to look into.

The Liberal Party has asked about the problem of the deficit on various occasions, but its remedy seems to be to sell off assets. It is the only party I know of that wants to sell a stock when it is down. I certainly would not trust my very limited stock portfolio to the Liberal Party. It would sell my stocks off when they were at an all-time low, which is its policy on Suncor.

I wonder what the position of the ministry is. I admit the ministry gets directions from other ministers as to what to do with the various properties. The Minister of Municipal Affairs and Housing (Mr. Bennett) may tell this minister, as he has done in the past, to sell off the Bergamont project. The Minister of Municipal Affairs and Housing is the only man I have ever known who could buy a whole apartment building and, 15 years later, sell it for less money than he paid for it. Can the minister give us an update as to what the thrust is as to liquidation of government assets? Are we selling off large amounts of assets? How much are they? What is being sold at the present time? Is he aware of any plans for selling off more assets?

This year, we have been told about the 200th anniversary of Ontario. As someone who has not only written articles on history but, indeed, has taught history at a university level—or comparative studies, which is fairly close—I will not get into an argument as to whether it is the 200th anniversary or not. I think it is a fabricated date, one designed to help politically just before an election. Indeed, Dr. Desmond Morton and other historians have pointed that out in numerous articles, not only in the learned journals, but also in the newspapers.

I would be interested to know, with this fabricated 200th anniversary we are coming up with, what are the plans for the parliament buildings? Are there plans for major renovations? What are we likely to experience? In the planning, are the minister and the Speaker looking at the problem we are having about space, particularly in view of the amount of space in this building which is taken up by the Premier's staff and by people who answer directly to the Premier (Mr. Davis)?

The minister talked about computerization. I can see that he has some talented staff who are trying to co-ordinate information. However, with the co-ordination there is also the problem of security of information. In a democratic society, I think it is important that information concerning government and its expenditures be made as open as possible. But information concerning the personal lives and actions of individuals in that society, in other words, the citizen's right to privacy, should be protected.

I can recall a debate we had with the Minister of Transportation and Communications (Mr. Snow) some years ago about a system he had set up for dealing with health records. Finally, he agreed with us and said we had to build into the act a protection that said the ministry is responsible if these private health records—of truck drivers in this case—were to get into the hands of insurance companies or possible employers who might misuse them.

The standing committee on public accounts dealt at some length with the whole problem of the integration of computers, with great assistance from the member for York Centre (Mr. Cousens), who is very knowledgeable in the computer field. At that time we saw a certain amount of duplication, but I think the concern of a lot of the members was the interlocking of the computers: what the policy was concerning access; what are the interlocks; what information is available; what safeguards we have against private information of individual citizens, particularly any hearsay or medical evidence, getting into the hands of insurance companies or others who might misuse it.

While talking about the public accounts committee, which is an area I am particularly interested in, perhaps because of my business background, I would be interested in hearing more about the internal auditing system of this ministry. The government is following this route and should be complimented on that.

The annual report for the fiscal year ending March 31, 1981, states that "the group participated in ongoing development of several new systems," referring to auditing systems. I would like to explore with the minister some of those systems and what application he thinks they may have to other ministries. Perhaps he can give us some examples, not for the sake of our using the information against them but as examples of where the internal auditing system actually caught problems before they became too large.

It is greatly to the advantage of a government to find its own mistakes. Often the internal

auditing system does that. It is to the credit of a government that it can say: "We are three months into this and here is a mistake. We have to stop this program and perhaps go back to the drawing boards." That is a lot better than getting three years down the road and finding that a lot of money has been squandered.

There is something else that I am concerned about and the Minister of Government Services may have some insight and some advice to give. He is really the person who is the corporate leader, the chairman of the board, so to speak, of the government.

My colleagues in the New Democratic Party, and also some in the Liberal Party, have particular concerns about the whole problem of the control and accountability of those agencies which are not directly related to goverment service but are in the hands of either crown corporations, quasi-judicial bodies or other groups. Therefore, they are not directly answerable to the Legislature or, in many cases, to the public accounts committee, which is already terribly overworked. It will be interesting to hear the minister's views on that and see what proposals, if any, he may be prepared to make to the government.

12:20 p.m.

It is one thing for the government to operate efficiently, but if a crown corporation out there is operating inefficiently, it can blow an awful lot more money than this minister or this ministry may ever think of wasting.

We are also interested in the affirmative action program. I hope the minister will spend some time dealing with that. I know the member for Beaches-Woodbine (Ms. Bryden) has some very specific questions she wants to ask on that. Perhaps the minister can give us an update and at the appropriate time the member for Beaches-Woodbine can question him further.

The minister talked about improving communications. Those of us who are members of the Legislature have very heavy weeks—I put in, as I am sure the minister does, a 70- to 80-hour week—and one problem area is communicating with our own constituents. One thing that has been particularly helpful is the media studio in this building.

Unfortunately, Rogers Cable has cut back on its services of taping MPPs' Queen's Park reports; it claims it is because of the federal and provincial tax changes. That is a nuisance to me. I have to go to the other side of the city to get a program taped, perhaps bring my guest and make all kinds of arrangements, instead of taking three quarters of an hour and taping a half-hour show down in the studio.

I am wondering if the minister has thought of meeting with the Speaker to see if some facilities might be made available. We could then at least tape our programs here, our reports to our constituents, and then bicycle them, as they say, or bring them ourselves to the particular cable company for broadcast in our local areas.

It would be very helpful to us. I am sure it would be particularly helpful to the government side because there are more members. Therefore, I would think they would be more affected even than we would be. This is the kind of thing I hope we can look at in a nonpartisan way simply as a service to members and a service of letting the community know what is going on.

While we are on this topic—and I guess really I should more appropriately bring it up with the Speaker, but I know the minister is one person who would deal with the Speaker on this topic—a few years ago when I was first elected I served on the Speaker's panel, a group of people made up of chairmen of committees and so forth, who met with the Speaker to discuss procedure and various other matters of interest to the smooth functioning of the House.

At that time, it was proposed that there be ongoing television coverage of the Legislature perhaps by the cable companies. I understand at least 80 per cent of all TV viewers in Ontario receive their television via cable. Some of the problems to come up at that time were those of the excessive lighting, the heat and also cost. But since that time, many of the technical problems, namely, the heat and the lights, have been perfected. There is a cool light system.

I really think it would be to the advantage of the public if we had the kind of programming that originally was proposed by Mr. Rogers of Rogers Cable. As I recall, what he had envisaged was the taping of not only the House in action but also the committees. Somebody may have a particular interest and may belong to a group that has a particuar interest; they cannot all crowd into room 151 or committee room 2. They may have children. They may not have baby-sitters or they may be at work. If we were to have that kind of ongoing system, it would allow more access, more monitoring of government and of the opposition parties by the public and it would allow the cable companies to boast that they are providing an extensive community service.

I also think it would raise the level of debate in parliament. At that time, I remember Murray

Gaunt and a couple of people saying; "People would grandstand." I do not believe that. They might grandstand for the first couple of times it happened, but after that they would forget the cameras were on and would just conduct business as usual because we cannot always perform at a high level. I think parliament has been done a disservice in some ways by taping question period only, which is done by the House of Commons.

The question period is an unreal kind of situation. If the public could see the committees in operation, if they could see the kind of day-to-day, bread-and-butter, hard-work sorts of things committees do, such as improving the legislation or coming to grips with very technical and complicated problems, it would raise the status of parliament and help stop the kinds of comments that I get, such as, "You guys all look like a bunch of goons shouting at one another." I do not know whether that is something which the minister has discussed with the Speaker but I never miss an opportunity to talk about it and I think that it should be costed. It might be a very small portion of the total budget.

One of the things the minister did, and for which I owe him some compliments, was to have the wheelchair ramp in front of the building installed. At the time I made a bet with one of the people from the media who said it was only a temporary ramp and that it would not stay up. His argument was that the historical societies would argue that it defaced the building. When I asked the minister for it, our argument was that it was the International Year of Disabled Persons. It was important, not only from the physical aspect, but also from a psychological point of view, that disabled people be able to enter their parliament building by the front door. The minister, to his credit, and I think despite the opposition of one or two of his cabinet colleagues, managed to fight that through and it was built.

I recall that he suggested there might be some extra stonework put around it so that it would blend more harmoniously with the architecture of the building. I do not know if that has been costed. I do not know whether architects have looked at it but it would be interesting to find an update on that because the ramp is still there. I do not think it is an eyesore but I do not think it is as attractive as perhaps it could be. There could be some stone facing or something similar that would make it look more a part of the building.

At the time, it was also argued it might be difficult for wheelchairs to navigate the angle at which it was put in. I would be interested to find out if the minister has had any compliments on it and if it is being extensively used. Unfortunately, because of my parking space, I enter this building by the back door and rarely go through the front lobby. But I would be interested to find out whether or not the ramp has been extensively used and whether the slant has proved successful and is navigable for most people.

I would like to say a word on a minor thing but it is something that hit me the other day when a constituent at one of the seniors' buildings said, "I always thought you were my friend." I said, "I always thought so too." He said, "How come you went to everybody else's anniversary, but not to mine?" I said, "If you had told me about it, I am sure I would have come to yours and I would have presented you with a plaque from the Premier."

He said: "The Premier mailed out a plaque and I did not get anything from you. But in the meanwhile you have gone to every anniversary of all of my friends in this West Acres Senior Citizens Recreation Centre."

It turned out that the reason the Premier mailed the plaque was that the anniversary was on a date after the call of the last election; it was February 26 or something and the election was called on February 2.

12:30 p.m.

I recognize that technically the Premier is still Premier until such time as there is a change of government and an MPP is not an MPP after the writ is issued, but there might be a way of at least informing the incumbent MPP that there is an anniversary so he can send a card or letter, or drop by, and not simply have the thing shipped out to the constituent by the Premier's office.

In this case he was very upset, because he knew me and my family. He said: "You seem to do everything for everybody else. But when it comes to a close friend, you forgot me." We had not forgotten. It was the procedure of sending out the plaques.

Just by coincidence, when that came up I looked up my file on plaques and came across the wording for the 1977 plaques. It is interesting that part of the wording uses the plural: "It is our hope that you will enjoy years to come in good health and much happiness." That was the 1977 anniversary, the Queen's Silver Jubilee.

I wonder whether it would not be more appropriate if the plaques presented were not written in the plural, since the plaque is pre-

sented by a member of the Legislature of whatever party and since it is signed by the Premier, who is the head of the government, because it is really the people of Ontario through their government and their representatives who are congratulating these people.

I do not know whether the minister has any influence over the wording used on these, but it seems to me it would be more appropriate. When I present the plaque, I do not present it just on behalf of the Premier. I do not present it on behalf of myself. I like to say I am presenting it as congratulations from the people of Ontario, who want to wish them all the best. I happen to be the spokesperson at that moment. It might be something worth looking into.

There are a number of items outstanding from the last estimates. I will go through some of them but, before I do that, I want to ask the minister some questions about the manual of administration. I became particularly conscious of it when, as the minister will know from reading the newspapers or perhaps from talking to members of his own party, there was a conflict between the Ombudsman and the select committee on the Ombudsman.

One of the parallel issues was the hiring of the Ombudsman's staff. In this case, he had hired two relatives. The previous Ombudsman had stated to the committee that he had accepted the manual of administration.

Hon. Mr. Wiseman: Mr. Chairman, I wish to correct the honourable member. The manual he is talking about does not come within my ministry. It is really a responsibility of the Management Board of Cabinet. I mention that just in case he is not aware of that.

The Deputy Chairman: The member for Etobicoke is always very careful to stay on topic.

Mr. Philip: I am on topic, Mr. Chairman. I did not want to bring this up in a direct way with the minister but there has been a problem in the past, or it has been suggested there has, about the hiring of relatives in this ministry.

I did not want to make it personal. That is why I was trying to stay with the manual of administration, but I want to deal with it from the manual of administration point of view. As I see it, one of the faults in the manual of administration is that it is very contradictory. It says one may not hire one's wife. Pardon me if I sounded chauvinistic; it uses the word "spouse." But it does not mention any other close relative.

In other words, is there not an apparent conflict if, as the Ombudsman appears to have done, he hired his daughter? The evidence is he did do it. Is that not as much of a conflict as hiring a wife in his case, or a spouse in the case of a female minister or deputy minister or whoever? I really think we have to look at the whole area of conflict of interest and come up with acceptable guidelines.

I think the public generally felt that what was done by the Ombudsman was wrong. Some of the calls I received, some of the editorials in the newspapers, certainly supported the position I took, as did other members of the Ombudsman's committee from all three parties. I hope that is something the minister may want to give his views on. Again, I am not being punishing to the minister on that or trying to recycle an old issue.

Another issue that has appeared since we last met, about flights taken by the minister and his aides, was raised by the member for Port Arthur (Mr. Foulds). I wonder whether the minister can tell us if, in this time of austerity, he is being more cautious about how many charter flights and private flights are made on government business.

The Premier certainly responded to the austerity program by scrapping the executive jet. I would have been happy if he had bought a STOL, because we have a lot of people unemployed at de Havilland and it would have been a far better airplane for him to fly around in than the jet. In any case, he may want to tell us about that.

One other item: As members of the Legislature, I am sure all of us have received a very beautiful little calendar on the McMichael Canadian Collection. I know it was sent out at taxpayers' expense to each of us. We priced it at the Eaton store on Yonge and Eglinton, and it costs $3.95. I believe it was the Ministry of Government Services that sent these out, and I would be interested to know how many people may have received them, not just members of the Legislature. How many were distributed free, and what was the total cost?

I realize it is a beautiful gift. It is something I certainly am pleased to receive. But when we are cutting people's wages down to five per cent, people who are working for very little money in many cases, at $13,000- or $14,000-a-year jobs, I wonder whether this is not a little exorbitant and whether the members could not have been asked to pay for what is a very beautiful calendar and book. I would be glad to pay $4 to have it in my collection. I would be interested in

knowing how many people, besides members of the Legislature, may have received that.

Those are a few of the comments I have in dealing with some new issues. There are a number of other issues that were raised last year and that I think are still current and I hope we can get an update on. For example, has the ministry now agreed to have in government supply contracts a section that will show that preference is given to unionized companies and companies that have affirmative action programs? I hope we will also have an update on the decentralization plan and the effects it will have on employees and on those employees who may not be in a position to move to Kingston or other locations.

In previous estimates we have also dealt with the conduct of former ministers and deputy ministers in their dealings with the government agencies they have been on top of at one time. We have also dealt with the whole issue from a different point of view of conflict of interest, namely, the conflict of interest of a personnel person. That came up with Re-Mor. It also came up recently when, as our party's housing critic and the member in our caucus responsible for landlord and tenant rent review, I brought up the issue of conflict of interest of rent review officers.

I wonder whether the minister has some feelings or some recommendations from his staff concerning the need for conflict of interest guidelines regarding former ministers and former top people: deputy ministers, assistant deputy ministers and so forth.

12:40 p.m.

Another issue that came up in the past was the use of unlicensed carriers; in other words, operators who do not operate with a public commercial vehicle licence. I hope we will have some assurance that the government is not using unlicensed carriers—carriers who are in violation of the Ministry of Transportation and Communications regulations—for the carrying of any government freight.

Another issue that is a holdover from the past again, and the members may want to talk about it, is the management of the Legislative Building. Should it come directly under the Speaker, or what is the responsibility of the Ministry of Government Service vis-à-vis the Speaker, and what is the balance? I would be interested to know whether there have been meetings between this ministry and the new Speaker for this session and whether any changes are contemplated.

An issue raised by the member for Prescott-Russell (Mr. Boudria) was the problem of obtaining French-language translations. He said the offices should be closer to the Legislature, and I wonder whether any action has been taken on that concern, which was also a concern of our party.

Having mentioned those few issues, I want to make a couple of comments on the minister's opening remarks.

First of all, the buy-Canadian policy is something we can agree with but, when we get right down to it, it is more than just the 10 per cent. Basically what we are dealing with is the attitude of the purchasing officers at the various levels of government. We can have a 10 per cent preference or a 20 per cent preference, but on the day-to-day things, as my colleague the member for Welland-Thorold (Mr. Swart) has pointed out, often something that appears to be Canadian may not be Canadian; it may be packaged Canadian.

I wonder what kind of education or direction the minister is giving to his purchasing officers to make sure that on a daily basis a priority is being given to Canadian-made products.

A lot has been said in the minister's opening address about new jobs being created. I would like to have more specifics, rather than simply the figures thrown out. We can all come up with figures to prove practically anything, but I would like a few more facts and a little bit more meat on that.

Those are some of the opening remarks I wanted to make, and perhaps we can deal with the minister's response. If it makes it easier for the minister, I am quite prepared to have him deal with the various questions I have asked under the appropriate votes and then we can have a dialogue on them. That might be a little bit easier unless he wants to make a closing statement. I am flexible, whichever is most convenient or the easiest for him.

The Deputy Chairman: Minister, what would you prefer?

Hon. Mr. Wiseman: Mr. Chairman, if I could, I would like to respond to some of these questions today while they are fresh in my mind and fresh in the minds of everyone. There are lots of questions here. If you will just bear with me a minute, I will try to go through them.

The first question from the member for Erie (Mr. Haggerty) concerned more buying in the Ministry of Government Services. I looked at his suggestion. I was asked that question in the House a couple of years ago, at which time the

name of the Honourable Charles MacNaughton and his statement were referred to.

Sometimes when we reflect on what has happened in the past and apply it today, we find it is a little hard to go along with some of those statements. But in general they make sense and we will try to follow them. In my closing statement we asked for suggestions and we really meant it. We try to implement as many as we can where finances and other considerations permit.

The member for Erie also referred to telephone lines. As I mentioned, we have worked out an arrangement with the federal government, because we all know from our constituency offices that a lot of those making the calls do not know whether their problems are federal or provincial.

We worked out an agreement somewhat different from those of some of our sister provinces. Before we put this through, we asked the federal government to include in the blue pages the numbers of the 15 most-often-called ministries so that we would not be swamped with bread-and-butter calls.

By putting this through, we have helped to reduce a lot of the frustrating calls that my and others' constituents make. These Zenith calls come through toll-free. Previously they paid for the calls themselves and often placed two or three calls only to get the wrong person each time. Now we are able to point them in the right direction.

The member for Erie is shaking his head, but I really think we have improved a lot in that area and are continuing to improve. The word that comes back to me is that it seems to be working quite satisfactorily.

The member for Erie also asked about the cost. I would like to say that by referring these calls to the right ministries on the first try, we have eliminated a lot of unnecessary calls.

He also spoke about creating jobs. I would like to go back to the statement, which mentions that last year we created 10,000 jobs through the Board of Industrial Leadership and Development, capital projects, repairs and alterations and so on. This year we will have 14,500 jobs and, through BILD, another 1,500 new jobs.

As I mentioned in the House in my statement just the other day—I believe I have made two statements on this—the procurement officer from the Ministry of Industry and Trade is now in place in our ministry. I mentioned in my opening speech in the estimates a year ago that we could not buy 40 per cent—I believe that was the figure—of our mechanical and electrical requirements in Canada. So we are trying to highlight that area.

We hope this procurement officer will attend trade conferences and so on and try to persuade the companies that have the capacity to build whatever we need so that in the future we can come here and say that we have reduced that 40 per cent. I would like to see it go to nil, but I do not think it will ever go that low. However, we can be optimistic and hope that it will come down a great deal. All of us in the House will agree that this will mean an awful lot of jobs.

One should keep in mind that we expend about $70 million on capital projects, repairs and alterations. That represents about 2.5 to three per cent of the total building that goes on in Canada. If we recognize that 40 per cent of the mechanical and electrical goods cannot be purchased in Canada, then there is a lot of money that can be put into Canadian jobs if we can encourage these companies to take up the ball and run with it. We are spending this money to highlight it for the Minister of Industry and Trade (Mr. Walker), and with their expertise his people can encourage Canadian firms to go out and to build. I am hoping for great things in that area.

12:50 p.m.

As to the bookmarks as a form of advertising, I am trying to get a cost on that. I do not have it to date, though I am told it is very small. We made some changes in our bookstore and wanted to let people know where it was through the bookmarks, to highlight that the books are available and so on. Why the store the member mentioned had so many when there are not very many citizens to be served in that area, I do not know. I will try to get a cost for the member if he wants, but it is a very small amount.

As for the calls coming in from Etobicoke and the honourable member getting those for other members close by, we get some of that even in a rural riding, although sometimes to a lesser degree. People do not know just where the boundaries end, because sometimes the federal and provincial ridings differ; they do in my riding.

I did speak to the member one morning at breakfast about this. We will take his suggestion and see what we can do. We are as interested as all the members are in making sure the calls get to the right person so that the public can get the service they are looking for from the members.

As to the sale of surplus land, I will run through what happens. If a ministry puts up land

as being surplus, we circulate that to all the other ministries first to see if there is a need we are not aware of. If there is not a need, then we go to the municipalities and give them a chance to purchase at market value.

If no municipality is interested and we have no long-range needs for it, then we put the land up for disposal in different ways. We can have a reserve bid and put it up that way, or we can have an auction with a reserve bid. We have done it in different ways, but that is basically what happens. Some of the land coming in lately has been below our reserve bid so we have not sold it, for some of the reasons the member mentioned, such as interest rates and so on.

The member asked about the 1984 celebrations and what we might be doing. They are in the preliminary stages. I have not had any input into them as yet. If what the member is worrying about is whether we would bring forth a program to implement changes, as mentioned in my statement, I am sure those changes would keep in mind that we would not want to mess around with our lovely Legislative Building at a time when we are celebrating our anniversary.

As to computer services and whether they are kept confidential, I can assure the members we do everything we can to make sure they are confidential. I think our record will show we have been quite successful at that and we will continue to do everything we can to keep those confidential.

On affirmative action, when I served on Management Board and the presentation was brought to Management Board we were the good guys. That presentation mentioned it as being one of the best ministries for recognizing and working with the affirmative action group. My staff has just told me that we have continued to improve.

Last year, 27 per cent of our staff were ladies. This year we are up to 32 per cent. The members can see that we are continuing to improve. I might say that, in the reorganization of our ministry, ladies are taking on a greater role of responsibility in our new programs and our reorganization.

In regard to cable television, the member knows we have had a discussion on this on one or two occasions. We would be pleased to look into this with the Speaker, but we do not have a lot of money; we do not have it in our budget. If the Speaker asks us to do it, we will certainly look at it. But for this year, unless things change, we do not have the funds to look at anything like that. I want to be honest and straightforward with the members. I am not promising something we cannot deliver because of our finances right now.

Cable TV in committee rooms comes under the Speaker. I realize it is hard for members to realize what comes under the Speaker and what comes under the Ministry of Government Services, but the committee rooms are under the direction of the Speaker. If the Speaker and the Board of Internal Economy were to make a decision along that line, I am sure we would honour that and do what we could to implement the service.

As for the wheelchair ramp and whether we should put it in with stone, we do not have the money to do that at this time. I could have told the member that for a while we did not have the stone, but we have been able to get some stone now. We have the stone set aside for repairs to the building itself where needed but as we all know, living in an old stone house at home and knowing what it costs, we do not have the money to do that at this time.

As to how well the wheelchair ramp is used, I did check it out as the members did about a year and a half ago. It was well used then. I honestly have not had an update since that time, but I will try to get something. At a big function, which I think is the best indicator, it is used not only by people in wheelchairs, with canes and so on but also on some occasions by expectant mothers who find it easier to come up that way than to use the stairs. It is used for baby buggies as well.

As far the plaques are concerned, I think everyone in the House will agree the plaques that go out from all of us as members are warmly received by all the recipients. It is a service that a few people do in our ministry.

It may be of interest that we put out more than 10,000 of these plaques a year. We do have the odd one that goes astray, as the member for Frontenac-Addington (Mr. McEwen) knows. Where it says Perth Road, sometimes I get it because I live in Perth, but the member for Frontenac-Addington and I have a little discussion or I send it over to his office.

It is hard for the people if they are mailed out. If they are delivered, it is a different story. I do not say it was so in the case of the honourable member, but sometimes if a request comes into the Premier's office for him to present the scroll, then that happens.

I will just take a couple more minutes and then I will be finished.

Concerning the manual and the daughter, my feelings on the matter were put on the record last year. They have not changed. Anyone interested can read that.

Twenty-five per cent of my flight to Thunder Bay was used for party work and was paid for by the party. I did not use government aircraft. With schedules such as the one I had this week, which was like a dog's breakfast, I would not have been able to make it without commercial aircraft and my wife and everyone else driving—and I was not going as far as Thunder Bay, which is almost from here to Florida. However, that has been paid.

Perhaps the member could ask me the other two questions on Monday afternoon when I will try to answer them.

On motion by Hon. Mr. Gregory, the committee of supply reported progress.

The House adjourned at 1 p.m.

APPENDIX

ANSWERS TO QUESTIONS ON NOTICE PAPER

TRAVEL BY MINISTERS

112. Mr. Bradley: Which ministers travelled outside Canada on government business between April 1, 1982, and March 31, 1982? What were the names of those who accompanied each of them? What was the purpose of each trip? What was the cost for each trip and each individual? [Tabled April 28, 1982.]

Hon. Mr. McCague: A close examination of the detail required by this question reveals that an inordinate amount of time and expense would be needed to provide the information requested. As every ministry is responsible for its own expenditure transactions and the details are shown in volume 3 of the Public Accounts of Ontario, members are encouraged to seek the information they require in this publication and pursue any additional information during the estimates debates in the House.

274. Mr. Eakins: For the week-long trip the Minister of Tourism and Recreation took commencing July 25, 1982, to Houston, Dallas, Los Angeles, Seattle and Vancouver, would the minister specify: (1) the total expenses incurred by the ministry; (2) the disaggregated expenses for air transportation, land transportation, accommodation and food incurred by the ministry on behalf of the minister; and (3) the names and positions of all other individuals who accompanied him on the trip? [Tabled September 29, 1982.]

Hon. Mr. Baetz: The purpose of the mission was to determine firsthand some of the following for covered stadia and trade centres: (1) design criteria; (2) markets existing and potential; (3) costs; (4) interface within convention centres; (5) organization and management; (6) sources of capital cost and operating revenue; (7) economic impact of covered stadia and trade facilities.

The mission members were selected based on their knowledge of particular aspects of operating or managing similar facilities, technical expertise in one of the above areas, and for their role in the decision-making process, determining whether these types of facilities would be successful in Toronto.

Total expenses incurred by the ministry: $26,576.71 is the total figure to be cost-shared with Metropolitan Toronto 50-50. Therefore, the total expense incurred by the Ministry of Tourism and Recreation is $13,288.35.

Expenses incurred by the ministry on my behalf: air transportation, $1,257.20; land transportation, $202.50; accommodation and food, $1,263.97.

Individuals who accompanied me on the trip: Mr. Paul V. Godfrey, chairman of Metropolitan Toronto; Mr. Everett Biggs, president, Canadian National Exhibition Association; Mr. Robert Bundy, commissioner of parks and property, Metropolitan Toronto; Mr. Douglas Floyd, executive director, economic development, Metropolitan Toronto; Mr. Stephen McLaughlin, commissioner of planning and development, city of Toronto; Mr. Gary W. McMahon, vice-president, Canadian National Exhibition Association; Mr. Phil Rimmington, deputy commissioner of planning, Metropolitan Toronto; Mr. Gordon Walker, manager, Canadian National Exhibition Stadium Corp.; Ms. Anne McCall (mission co-ordinator), co-ordinator, Ontario Tourism Offices, Ontario Ministry of Tourism and Recreation.

COST OF INQUIRIES

148. Mr. Charlton: Would the Minister of Energy supply details of the cost to Ontario Hydro and the cost to the Ontario government of the following inquiries: 1920 Sutherland commission; 1920 Lethbridge committee; 1922 Gregory commission; 1931 Beauharnois committee—special committee of inquiry into the Beauharnois Power Corp.; 1934 Latchford-Smith royal commission; 1938 select committee; 1960 royal commission into purchase of land in Sarnia by Ontario Hydro; 1970 public inquiry into the air pollution problem (Toronto); 1971 Task Force Hydro—1971-73 (five reports were published); 1972 Solandt commission; 1973 select committee on the Hydro-Electric Power Commission of Ontario new head office building; 1974 Ontario Energy Board—system expansion and financial policies; 1974 Porter commission; 1975 select committee on bulk power rates; 1975 Ontario Energy Board—bulk power rates; 1976 Ontario Energy Board—bulk power rates; 1977 Ontario Energy Board—bulk power rates; 1977 Tuzo Wilson commission on aluminum wiring; 1977-81 select committee on Ontario Hydro affairs; 1978 Ontario Energy Board—bulk power rates; 1979 standing committee on resources development; 1979 Ontario Energy

Board—bulk power rates; 1980 Ontario Energy Board—bulk power rates; 1981 Ontario Energy Board—bulk power rates; and 1982 Ontario Energy Board—bulk power rates? [Tabled May 14, 1982.]

Hon. Mr. Welch: The detailed information requested is available in the appropriate editions of the public accounts. Additional information would be available only at a cost which prohibits its provision.

TRADE MISSIONS

173. Mr. Breaugh: Will the ministry list all trade missions in which cabinet ministers have participated since 1975? For each mission will the ministry provide the places visited, the name(s) of the cabinet minister(s) and ministry officials participating and the amount of money spent on travel expenses, accommodations, other employee expenses, publicity and other expenses? [Tabled May 19, 1982.]

See sessional paper 244.

GOVERNMENT PUBLICATIONS

175. Mr. Breaugh: Will the ministry list for each government publication produced in the last 12 months costing more than $5,000 for the production and distribution, the name of the publication, the cost of printing, the cost of producing, the cost of distribution, the number of copies printed, the names of groups to whom the publications went, and the reason for distributing the publications? [Tabled May 19, 1982.]

See sessional paper 245.

UTDC SALARIES

234. Mr. Nixon: What is the salary of the chairman of UTDC? How many employees of the corporation are paid $50,000 a year or more? [Tabled June 30, 1982.]

Hon. Mr. Snow: 1. The chairman of the board of the Urban Transportation Development Corp. Ltd. receives one annual fee of $5,000, a per meeting fee of $300, and a retainer equal to $25,000 per annum.

2. Twenty-two employees of the Urban Transportation Development Corp. Ltd. and its wholly owned Canadian subsidiaries were paid $50,000 or more in gross pay in the calendar year 1981.

ONTARIO ENERGY CORP. SALARIES

237. Mr. Nixon: What is the salary of the chairman of the Ontario Energy Corp.? How many employees of the corporation are paid $50,000 a year or more? [Tabled June 30, 1982.]

Hon. Mr. Welch: The chairman of the Ontario Energy Corp. is not paid a salary.

Four employees of the corporation are paid $50,000 a year or more.

DEATHS IN MENTAL HEALTH CENTRES

257. Mr. McClellan: Will the Minister of Health advise the House how many patients resident in provincial mental health centres died during 1980-81 and 1981-82? Can the minister provide an analysis by categories of cause of death? How many inquests into patient deaths were held during this period? Will the minister table the verdict and recommendations from each inquest? [Tabled July 5, 1982.]

See sessional paper 246.

PURCHASE OF AIRCRAFT

299. Mr. J. A. Reed: Would the Minister of Natural Resources indicate what the cost of the Canadair CL-215 would have been to the ministry in December 1978, and again in April 1980, when it was rejected for purchase by the deputy minister? What were the reasons for the rejection at that time? How many times and in what years did the ministry lease a Canadair CL-215? [Tabled September 29, 1982.]

Hon. Mr. Pope: There is no firm quote for December 1978. There was an offer received from Canadair in June 1977 for the purchase of one CL215 for a price of $2.75 million. Another price quoted to the ministry in May 1978 was $2.85 million.

Various factors have influenced the price escalation of aircraft costs since 1977, including available supply, inflation and the exchange rate on parts purchased in the United States.

No price was mentioned in the correspondence in 1980 when the deputy minister declined the offer to purchase CL-215s. Experience with the CL-215 in Ontario had been good to that time. The priority for aircraft acquisition in 1980-81 was to purchase three de Havilland Twin Otter medium-sized water bombers and this required the available funding. There were a number of Canso aircraft available at reasonable prices to provide the heavy air attack requirement.

The priority now is to add a heavy water-bombing capacity for more difficult fire situations and to phase out in the longer term the ministry's dependence on the ageing Second World War-vintage Canso water bombers.

The Ministry of Natural Resources leased a CL-215 in 1977 for nine weeks and again in 1981 for 15 weeks.

302. Mr. Bradley: Would the Minister of Natural Resources table the original contract signed for the purchase of the Canadian Challenger jet before it was cancelled? [Tabled September 29, 1982.]

Hon. Mr. Pope: The contract is part of the negotiation for the exchange of aircraft. The details of this contract are not available.

303. Mr. Bradley: Would the Minister of Natural Resources table the contract signed with Canadair giving details of the transaction that permits the exchange of the Challenger 600 jet for the CL-215 water bombers? Would the minister indicate the costs that are involved for both the jet and the water bombers? [Tabled September 29, 1982.]

Hon. Mr. Pope: The agreement for the exchange of the Challenger jet for two CL-215s is currently under negotiation and is not available. Costs involved are:

Challenger costs at return, $10,852,660 Canadian.

CL-215 package value, $12.06 million—consists of one series 4 new CL-215 valued at $6.3 million; one demonstrator CL-215, serial number 1049, valued at $4.725 million and a spare parts package valued at $1.035 million.

304. Mr. Bradley: Would the Minister of Natural Resources table the contract signed with the Associated Air Centre in Dallas, Texas, for the interior finishing of the Ontario government's Challenger jet, including details on the design and furnishings, the total cost and the anticipated delivery date? [Tabled September 29, 1982.]

Hon. Mr. Pope: The contract with Associated Air Centre in Dallas is part of the negotiation for the exchange of aircraft. The details of this contract are now in the hands of Canadair and are not available. The fitment cost figures associated with the contract are $1 million-plus.

It is anticipated the Challenger will be returned to Canadair in October.

PRICE RESTRAINT CRITERIA

499. Mr. Foulds: Will the minister table all studies of administered prices in Ontario used by the Treasury officials in preparing the government's price review program? [Tabled October 4, 1982.]

Hon. F. S. Miller: The decision to restrain administered price increases was made primarily on the basis that the Ontario government should make a concerted effort to restrain price or fee increases in order to set an example of restraint, rather than on conclusions from detailed statistical analyses or of demonstrated excesses. Some studies were undertaken using publicly available information intended for public release. In general, these reports showed the average of prices in the administered sector rising by more than the average of other "free market" prices over the past six months.

536. Mr. Foulds: Will the ministry table the letter of the Minister of Energy sent to the chairman of the Ontario Energy Board, dated September 23, 1982, outlining the criteria to be followed for the administered price restraint program for the administered prices under the jurisdiction of the Ontario Energy Board? Will the ministry table all other letters which outline the criteria to be followed by agencies, boards and commissions for the administered prices, sent by the Minister of Energy to any other agencies, boards or commissions under his jurisdiction? [Tabled October 12, 1982.]

Hon. Mr. Welch: The information requested was tabled October 13, 1982.

VISIT TO MUSEUM

510. Mr. Foulds: (a) Will the Minister of Citizenship and Culture indicate the reasons in this time of restraint it was felt necessary to hire a bus to take members of the Legislature at Queen's Park all of 600 metres to the front door of the Royal Ontario Museum at 6 p.m., Tuesday, October 5, 1982? (b) How many members are incapacited and need transportation? (c) Was the cost of taxis investigated? (d) Was the cost of a brisk walk from the Wellesley Street entrance of the Legislative Building to the Royal Ontario Museum considered? (e) What is the estimated cost of the bus? [Tabled October 6, 1982.]

Hon. Mr. McCaffrey: (a) Buses were hired to take members of the Legislature to the Royal Ontario Museum because of the short time available to brief members on the ROM renovation project and to tour the galleries. The House was sitting until 6 p.m. in the afternoon and again starting at 8 p.m. in the evening. ROM staff also recommended the use of buses to make the briefing and tour easier to organize. It was considered wise to move MPPs as a group as quickly as possible to the ROM. The province has allocated over $37 million to the renovation and expansion project, and it was believed essential that members have an opportunity to

see the results. In the event of bad weather, it was felt that the buses would encourage attendance by MPPs.

(b) All members were limited by time constraints and the possibility of bad weather.

(c) Yes; however, the use of taxis was ruled out because of their limited capacity and the estimated cost.

(d) It was anticipated that of the 125 members invited, one third would find their own way to the ROM. Buses were therefore ordered to accommodate an estimated 98 members.

(e) The estimated cost of providing bus transportation was $120.

OHIP PREMIUMS

511. Mr. Peterson: Would the Treasurer table the legal opinions he or his ministry have received which contend that the premiums collected by the Ontario health insurance plan from the citizens of Ontario are not subject to the restraint provisions of Bill 179? [Tabled October 8, 1982.]

Hon. F. S. Miller: The opinion of the legal staff of my ministry is that future increases in Ontario heath insurance plan premiums are subject to part III (administered prices) of the bill if they take place within the period mentioned in part III, that is, (in most cases) between September 21, 1982, and January 1, 1984.

The bill does not apply to the premium increase for coverage commencing October 1, 1982, since that increase took place on July 1, 1982, and well before the period covered by Bill 179. OHIP premiums are payable three months in advance.

APPOINTMENT OF NEW MINISTER

518. Mr. Spensieri: Would the Solicitor General provide the costs incurred in changing the ministry's advertisements to show the name of the new minister following his appointment to this ministry on February 13, 1982? [Tabled October 12, 1982.]

Hon. G. W. Taylor: There were no costs incurred by the Ministry of the Solicitor General regarding advertisements following my appointment as minister on February 13, 1982.

529. Mr. Spensieri: Would the Solicitor General provide any costs incurred in renovating or redecorating the office which he was to occupy following his appointment on February 13, 1982, as the new Solicitor General? [Tabled October 12, 1982.]

Hon. G. W. Taylor: The costs incurred in the renovation or redecoration of my office following my appointment as Solicitor General were $11,058.45 up to October 18, 1982.

INTERIM ANSWERS

310 and 311. Mr. Breithaupt: Hon. Mr. McMurtry—The information requested is currently being compiled in this ministry. We shall be in a position to table our response by the end of October.

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Ontario

No. 127

Legislature of Ontario Debates

Official Report (Hansard)



Second Session, Thirty-Second Parliament
Monday, October 25, 1982

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Monday, October 25, 1982

The House met at 2 p.m.

Prayers.

EMPLOYEE HEALTH AND SAFETY

Mr. Martel: Mr. Speaker, on a point of privilege: Last Tuesday I raised the matter of lead levels, particulate matter and solvents with respect to Westinghouse in Hamilton.

Mr. Stan Gray had provided me with that information. That afternoon, while on his wash-up time and lunch break during the 4 p.m. to midnight shift, he went out to read lead levels in the paint cans that were around the plant. On Wednesday he was suspended for one full shift, and the reason given was that he was wasting time on company premises and leaving his work station without permission.

Having given me that information and after my raising it here, it seems to me this is a form of reprisal against that worker. I think it is incumbent upon the minister to apply section 24 of the act against Westinghouse for this form of reprisal. Otherwise, members in this Legislature will never get material with which to document problems in Ontario.

Hon. Mr. Ramsay: Mr. Speaker, if that is correct—and I have no reason to believe it is not—if it was done on a reprisal basis, I will certainly look into the matter immediately.

I have been looking into the whole Westinghouse matter on a personal basis since the honourable member first brought it to my attention in this Legislature last Monday. I must also admit there are some unanswered questions and I am endeavouring to get those properly attended to.

I am desirous of bringing this whole matter to a successful resolution just as expeditiously as possible. The member did say there was more to the situation than met the eye and I am inclined to agree. I am working on that premise, and I hope to be able to have something of a substantive nature to report to this House in the not too distant future.

RESPONSE TO WRITTEN QUESTIONS

Mr. Nixon: Mr. Speaker, on a point of order: I am sure you are aware that for some reason during this present session there has been an unduly large number of printed questions on the Order Paper that have not been answered in the time required under our rules.

I have a feeling that the ministry is having some difficulties with these matters, since they can be time consuming; but naturally it is important for the members of the House, particularly those in the opposition, to have specific information before these matters are raised in various committee hearings. I draw your attention to the fact that at least some of the questions, numbering approximately from 480 to 580, are substantially overdue.

I do not know what your responsibility is in this matter, Mr. Speaker, other than that the rules do require an answer within a specific period of time. It may be that you might have to bring this to the attention of the individual members of the government or to the House as a whole if other facilities must be made available to see that this information is tabled in the House in time for the sorts of discussions and debates that I feel they should be available for.

Hon. Mr. Gregory: Speaking to that point of order, Mr. Speaker, I grant that there are quite a number of unanswered questions on the Order Paper. I am sure the opposition House leader recognizes the extremely high number. They take a great deal of time and, as the House leader has indicated before, we are proceeding as quickly as we can and the answers will be forthcoming.

Mr. Nixon: Further to the point, Mr. Speaker, it is customary if the time limit is surpassed for the minister or the House leader or someone to make a statement to the House more or less indicating, or getting unanimous consent that the time limit be waived in specific instances. It might save some discussion if someone were in charge of doing that so that we would not feel the government was simply letting the rules slip by and leaving the questions unanswered.

The Acting Speaker (Mr. Cousens): I trust there will be sufficient response to this point of order.

Hon. Mr. Gregory: Mr. Speaker, I just received word that some answers will be tabled today and

more are coming. I will discuss with the House leader on his return a report on the status of these questions.

STATEMENT BY THE MINISTRY

ONTARIO TECHNOLOGY CENTRES

Hon. Mr. Walker: Mr. Speaker, I would like to make a brief statement on a specific aspect of the Ontario technology centres program.

As honourable members know, this government is committed to ensuring that commercial enterprises throughout Ontario, particularly small and medium-sized ventures, are able to survive and remain competitive by adopting new technologies in their products and in the processes for making those products. A significant part of our technological commitment is expressed through the Board of Industrial Leadership and Development, and it is graphically evident in the network of six technology centres we have announced across the province.

I am now pleased to advise this House that the first of those technology centres, the Ontario Centre for Microelectronics in Ottawa, is now ready to start business and in fact has been in business for about two months.

I am also pleased to announce the appointment of the board of directors for that centre. They are 14 individuals distinguished and experienced in business, industry, labour, the applied sciences and the academic community, and they include such names as Mr. Gordon Gow, senior vice-president of Nabu Manufacturing; Dr. Walter Pieczonka, president of Linear Technology; Mr. Glenn Pattinson, president of the Canadian District, International Union of Electrical, Radio and Machine Workers; Dr. Elizabeth Parr-Johnston, manager of macroenvironment at Shell Canada, and a host of people who have disciplines that are very important.

The chairman will be Mr. Gordon Gow, senior vice-president of Nabu Manufacturing in Ottawa. Mr. Gow chaired the advisory committee that guided the development of the centre. The advisory committee had been in service since about April or May of this year.

I want to express to Mr. Gow and members of that committee our deepest gratitude for their dedication and effort these many months. The names of the new directors are being sent to members. I would like to thank these individuals for being prepared to give their time and talents to this service. I also want to thank the members for Carleton (Mr. Mitchell) and Carleton East (Mr. MacQuarrie) for agreeing to sit on the board in an ex-officio capacity.

2:10 p.m.

On another aspect of the microelectronics centre, all members will have received by now their invitations to a program of activity scheduled for Carleton University this Thursday to launch the centre and the overall technology program. All members will be most welcome to join us in Ottawa and I hope that as many as possible will attend, given the exigencies of this Legislature and the requirement to be here.

The Ottawa event will include exhibits by many of Canada's leading high-technology firms. These working displays provide an extraordinary glimpse of our country's ingenuity and innovation in creating sophisticated products and processes that will have pervasive economic benefits. They will contribute immeasurably to the competence of private enterprise in making productivity gains to remain competitive at home and abroad for decades to come.

For those members unable to join us in Ottawa, we have an alternative to offer. At around three o'clock on Thursday we intend to link Carleton University, the site of the official opening, and Queen's Park by interactive television. The screen will be at the bottom of the stairs in this Legislature in the main lobby. We will have a two-way video conferencing arrangement and will, technologically, launch the program in Ottawa by pushing a button here in Toronto.

I hope those members who cannot be with us in Ottawa will participate here in the Legislature. Like those in Ottawa, those here will be served coffee.

Finally, the technology centres program is moving ahead. All six centres will be open on schedule—microelectronics this week and the remaining five by the end of January.

I am pleased to announce as well that startup funding of $3.85 million for the robotics centre in Peterborough and the computer-aided design and computer-aided manufacturing centre in Cambridge has now been approved. This is part of the $120-million commitment over five years behind the overall technology centres program.

Business plans for the automotive parts, resource machinery and agricultural centres are being completed on schedule for submission to the Board of Industrial Leadership and Development and to cabinet. These plans are detailed operating blueprints and are essential to the viability of each centre. Our talent hunt for

executive and technical staff is moving ahead and we expect to announce appointments shortly.

As members can see, the program is progressing. I will report to the House from time to time on the expected developments.

VISITORS

The Acting Speaker: On behalf of the House, I would like to welcome some special visitors today. The Honourable Sam Uskiw, Minister of Highways and Transportation for Manitoba, is in the visitors' gallery as the guest of the Minister of Northern Affairs (Mr. Bernier). We are very pleased to have him with us.

Also in the visitors' gallery is a group of visitors from Sweden, representing the Swedish Employers' Confederation and the Swedish Supervisors' Union-Confederation, the SAF and SALF committees for supervisory training. They are here in Canada examining training programs in colleges and universities. We welcome them too.

ORAL QUESTIONS

METROPOLITAN TORONTO POLICE PRACTICES

Mr. Breithaupt: Mr. Speaker, I have a question for the Attorney General with respect to the recent developments in the Neil Proverbs videotape situation and the Ontario Provincial Police investigation announced into this whole affair.

We understand that the OPP has been examining about five hours of the supposedly 37 hours of tapes which are said to exist and last Wednesday Mr. Proverbs handed over more portions of these tapes to Crown Attorney Robert McGee.

Can the Attorney General now advise us whether a search warrant has been issued or executed to retrieve the remaining portion of the videotapes, whatever does exist and has not yet been viewed by the police, so that at least we can have all of the information and not this piecemeal approach?

Hon. Mr. McMurtry: Mr. Speaker, I cannot advise the member now with respect to what search warrants have been issued, but I know every effort has been made by the OPP to obtain the total number of hours of tapes, if they still exist, and they are pursuing their efforts in that regard.

Mr. Breithaupt: In the initial comments announcing the investigation, the Attorney General stated: "I want to stress that I am profoundly distressed by the latest activities of the two police officers in this matter. I do not believe their actions were in the interests of justice, the police force or the public." He went on to say, "I want to inform you that I have asked the Ontario Provincial Police to investigate every single allegation and innuendo made by Mr. Proverbs or the officers whom he met."

How can this investigation possibly continue unless all the material is available to the people doing the investigation? How can we have a proper trial conducted if we do not have the total series of tapes, whatever may exist?

Are we not just wasting a lot of time trying to piece together bits and pieces of tape to see whether they have been patched or amended or spliced rather than getting the whole story so that this problem will be resolved, and allowing this apparent abuse by Mr. Proverbs to continue whereby he feeds what bits and pieces he wants to the investigating authorities?

Hon. Mr. McMurtry: Mr. Proverbs' case is scheduled to proceed to court next week. All I can say at this time is that every reasonable effort has been made by the OPP to obtain those tapes. I do not intend to discuss at this time the details of those efforts, because the matter is still under investigation.

COURTS OF JUSTICE BILL

Mr. Breithaupt: Mr. Speaker, I have another question to the Attorney General, this one on the Courts of Justice Act, which is apparently draft legislation we can expect before the House soon.

We have been told there is substantial dissatisfaction among a number of judges with respect to the proposed recommendations, particularly from Judge Kirkland, who is reported to have said that the proposed change goes even further and effectively takes away legislative authority from judges at all levels of the courts. There are apparently, as well, substantial fears that traditional rights and freedoms of the bench, such as security or independence, may be somewhat diminished.

Will the Attorney General now table in the House a copy of this draft legislation and the accompanying report?

Hon. Mr. McMurtry: Mr. Speaker, I have not heard that statement attributed to that particular provincial court judge, but certainly that does not reflect the attitudes of the judiciary generally. I simply say that the judges are being very carefully and extensively and comprehensively consulted with respect to this very impor-

tant legislation, and the consultation process is still ongoing. We hope to have the bill introduced for first reading this fall. I certainly do not intend to table any draft legislation during this consultation process.

Mr. Breithaupt: Since Judge Kirkland is chairman of the law reform committee of the Family Court Judges Association, and was also reported to have expressed surprise that the ministry would propose legislation that contradicted the recommendation of a report last year by the Canadian Judicial Council calling for greater control by judges over court administrators, can the Attorney General advise us just which judges were involved in preparing or dealing with these recommendations?

Hon. Mr. McMurtry: There was a committee of judges involved. A number of all the senior judges, the chief judges, have been consulted in the various courts. I am sure that if Judge Kirkland and his committee were concerned they would communicate with me. To date, I have heard nothing from them.

Mr. Breithaupt: If the Attorney General intends to introduce this legislation this fall, will it be made quite clear at that time that committee hearings are going to be available so that not only members of the public but all those other groups involved in the administration of justice will have the opportunity of presenting their concerns once the draft legislation has received approval in principle in the House?

Hon. Mr. McMurtry: Certainly, if they are interested in having this matter sent to committee I would be very happy that it be done. The reason we want to introduce it, even knowing it can only be introduced for first reading and therefore die on the Order Paper, was to make it clear that we want to proceed with this legislation. We want it to receive first reading in order to encourage that type of dialogue and participation with respect to this important legislation. I would be quite happy to see it go to committee if that is thought to be appropriate.

2:20 p.m.

CHRONIC CARE COPAYMENT FEE

Mr. Foulds: Mr. Speaker, I have a question for the Minister of Health. I would simply ask him, is the chronic care copayment fee going to go up on November 1, and if so, by how much?

Hon. Mr. Grossman: Mr. Speaker, that has not been determined yet.

Mr. Foulds: Is the minister aware that the chronic care copayment fee over the past year, between August 1, 1981, and August 1, 1982, has risen by 13.9 per cent, whereas the old age security payments that trigger such increases have risen by only 11.57 per cent? Because the chronic care copayment fee takes $433.43 or 79 per cent of the income of a single person in those institutions who is dependent on OAS, guaranteed income supplement and guaranteed annual income supplements, is he willing to have those fees frozen at their present level?

Hon. Mr. Grossman: I cannot add anything to what I said earlier, which is that the issue has not been determined. We will, of course, notify the House when it happens.

Mr. Foulds: If the minister is not willing to reduce or abolish those fees—I believe they should be reduced or abolished because they hit at the most vulnerable of our society—will he at least make the commitment in the House that they will be brought under his administered prices program under Bill 179?

Hon. Mr. Grossman: I have nothing to add to my previous statement.

URBAN TRANSPORTATION DEVELOPMENT CORP.

Mr. Foulds: Mr. Speaker, I have a question of the Provincial Secretary for Resources Development, in the absence of the Minister of Transportation and Communications (Mr. Snow) and the Premier (Mr. Davis).

As the minister responsible for the policies in the resources development field, particularly in the field of transportation and communications, can he explain how and why the Urban Transportation Development Corp. has apparently killed negotiations for a proposal of 26 to 60 subway cars to be supplied to the Toronto Transit Commission by Hawker Siddeley Can-Car plant in Thunder Bay by UTDC withdrawing from the project?

Can he find out why UTDC withdrew from the project, since the general manager of the TTC was quoted at 6:30 this morning on Thunder Bay radio as saying that financial considerations were not an impediment to the proposal?

Hon. Mr. Henderson: Mr. Speaker, there has been considerable dialogue between the ministry and this company. To get the member an up-to-date report, I would like to let the Minister of Transportation and Communications answer the question. I have not been involved in the dialogue and I have only had reports from

the minister. So to be fair, he would be the appropriate one to answer the member.

Mr. Foulds: Could I ask the minister whether he believes as a matter of policy that UTDC, as an agency of government, should be used to create jobs in Ontario, particularly at Hawker Siddeley's plant in Thunder Bay, rather than destroying jobs in one of the few secondary manufacturing industries we have in the north?

Hon. Mr. Henderson: I am sure the member knows that the transportation company here in Toronto is trying to help everyone. I do not accept his argument that they are destroying jobs.

Mr. Cunningham: Mr. Speaker, when the minister is taking it upon himself to have a dialogue with the Minister of Transportation and Communications, would he inquire why this government would impose a policy that would see the UTDC having to be part of the bid process with Hawker Siddeley, the company the member has referred to, in competing in the open market in providing the transit cars for the TTC? Why would it be a necessity that the UTDC has to be a partner with Hawker Siddeley in this? Why would such a requirement be imposed?

Hon. Mr. Henderson: Mr. Speaker, we will make this part of the response.

Mr. Foulds: Do the minister and his government understand that in effect UTDC appears to have veto power over every transit contract that is let in Ontario? Do they understand what a severe blow the falling through of this proposal is to the 1,000 workers who have been laid off at that plant since the "Keep the promise" election of 18 months ago?

Do they know what a severe blow it is to the collective bargaining negotiations currently going on between the 200 workers at the Can-Car plant and their management? Do they not think it is about time UTDC was brought to heel and made an instrument of job creation instead of an instrument of job destruction?

Hon. Mr. Henderson: The statement by the honourable member is not acceptable, from my position as the minister, nor to the Minister of Transportation and Communications. I can assure the member that the minister will make a suitable reply and one that he will accept.

ONTARIO MUNICIPAL BOARD APPOINTMENT

Mr. Conway: Mr. Speaker, my question is to the Attorney General. Some months ago he made a very eloquent speech in France, I believe, about the need for the public to maintain a high regard for our judicial system. I thought that speech rang with great eloquence and commitment—no doubt outlining the Attorney General's very strongly held views about the need for the public and for politicians to do all within their power to maintain a very high regard for the judicial system.

In view of that great speech in France, and in view of the proceedings concluded not that many days ago in the justice committee, can the Attorney General live these days very easily, very happily or at all, in the knowledge that on January 3, 1983, there will be appointed to the quasi-judicial Ontario Municipal Board a self-confessed liar, who by his own admission is given to fits of confusion and frustration?

Hon. Mr. McMurtry: Mr. Speaker, this matter has been discussed somewhat in the House and I do not intend to pursue the dialogue, because I think what we are hearing from the other side is not just legitimate criticism about the appointment process but nothing other than character assassination. I am not going to encourage that type of discussion.

Mr. Conway: In view of the fact that the Attorney General has stood in his place and announced to all who care to listen that as chief law officer of the crown he can live with the appointment by his government of a self-confessed liar to the quasi-judicial board, at some public variance with his great and eloquent speech in France this past summer, and in view of the fact that very learned members of the bar—learned members like Mr. Edwin Goodman, QC, and, God knows, maybe even Mr. William Hoskinson, QC—will soon have to appear before the former mayor of Kitchener in his quasi-judicial role as he discharges and dispenses justice from the high chair of judgement, does the Attorney General not think it would be in the public interest for him to arrange some public accounting of the former mayor of Kitchener, Mr. Morley Rosenberg, QC?

Does the Attorney General not think it would be proper for Mr. Rosenberg to be brought to some public hearing so that he might give an account of his stewardship in this matter and so that the public might have some better understanding before this treacherous turncoat lays his clammy hands on one cent of that $60,000 job the government has just given him?

Interjections.

Hon. Mr. McMurtry: I am not going to risk dignifying that question by answering it.

2:30 p.m.

Mr. Foulds: Mr. Speaker, does the Attorney General feel it would serve the best interests of the people of Ontario if he and those responsible for such appointments as that of Mr. Rosenberg would table in this House the criteria they use in making such appointments?

Hon. Mr. McMurtry: Mr. Speaker, I am told this matter of appointments to quasi-judicial bodies is going to form the subject of some discussion during the estimates of the Ministry of the Attorney General. I will be happy to pursue that aspect of the dialogue at that time.

Mr. Roy: A supplementary—

The Acting Speaker: A new question; the member for Sudbury East.

Mr. Roy: He is refusing to answer. We are allowed a supplementary.

The Acting Speaker: No. I have allowed the correct number. The precedent is set.

EMPLOYEE HEALTH AND SAFETY

Mr. Martel: Mr. Speaker, I have a question for the Minister of Labour regarding Trailmobile Canada Ltd. As the minister knows, for 12 years his ministry has been aware of the health problems of the workers exposed to isocyanates at Trailmobile Canada.

The tests indicate that for 12 years the threshold limit values have been exceeded constantly, and ministry officials as early as 1970 described the protective devices worn by the employees as very primitive, merely a hard hat and a plastic bag. These were still being used some eight years later, and now the workers are supplied with questionable respirators.

The first Workmen's Compensation Board claim was filed in 1971 as a result of exposure to isocyanates, and in 1980, according to Dr. Tidey's report, 10 of 35 employees examined were suffering from lung function abnormalities.

Can the minister tell us why after 12 years there has been no action to correct that problem successfully?

Hon. Mr. Ramsay: Mr. Speaker, I have a prepared response to that question. It might take a moment or two, but I think it would be worth while in that it will put on the record in an appropriate fashion the information that has been requested by the honourable member.

I am aware of the current concerns about the exposure of workers to isocyanates at Trailmobile Canada and the potential serious adverse effects to health that may result.

All the present evidence relating to the human toxicity of isocyanates relates to the effects on the respiratory system. Isocyanates are irritant and they may cause an acute asthmatic attack in previously sensitized individuals. Exposure can cause abnormal performance of lung function tests which may not be entirely reversible.

Isocyanates have been widely used in manufacturing processes in North America since the 1960s. At this time, there is no evidence that isocyanates cause cancer in animals or man. I have asked my officials to provide a further review of the recent scientific literature to verify this conclusion.

There are a number of other potential hazards to the health of workers at the Trailmobile plant, including welding fumes, noise, solvents and wood dust. Despite constant improvements to ventilation since the early 1970s and the use of improved personal protective equipment, there nevertheless is an allegation that there is a persistent problem with respect to adverse effects on the health of some workers.

I share the concern of the members that more effective measures may need to be implemented at this company to protect the health of workers exposed to isocyanates by means of (1) engineering controls, (2) the use of appropriate respiratory protection and (3) a review of work practices.

At present, the medical records of all employees who are or have been exposed to isocyanates are being reviewed by the chief physician of the occupational health branch and additional lung functioning testing will be made available to all those currently or formerly exposed at the plant.

A further assessment of ventilation is being undertaken by an industrial hygienist, and the plans for modification that have been proposed by the company are being reviewed by an engineer from my ministry. Because of the confined area within which the workers are exposed to isocyanates, particular attention is being directed towards the effectiveness of respiratory protection with respect to both fit and the provision of air that is not contaminated by isocyanates.

I expect to receive an early report from my officials of the effective action taken that in any case will reflect the requirements of the proposed regulation for isocyanates as a designated substance.

Mr. Martel: Mr. Speaker, does the minister understand that what he has just read is an indication of the problem and concern we are trying to drive home? The file in his ministry is well over five inches thick; workers have been exposed for 12 years; one Dr. Tidey has been involved right from the beginning and, just in the past week, Dr. Pelmear has stated, "It is up to management and the work force to evaluate toxic substances."

Because there is no way the workers have been able—despite the fact there are now 14 of them ill—there is no way they have been able to get that problem resolved, what is the minister trying to tell me by that statement? Is he prepared to give the employees the right to shut an area down until management has made the modifications necessary so that they will not have their health jeopardized?

Hon. Mr. Ramsay: Perhaps I could respond to some of the allegations that have been made.

First, there is an indication that since 1975 workers were denied the opportunity to accompany an inspector. Since October 1979, when the Occupational Health and Safety Act was proclaimed, workers or their representatives have had the right to accompany inspectors in their inspection of the work place.

It has also been alleged that workers were not made aware of emerging occupational health problems at Trailmobile Canada. Since 1972, the workers exposed to isocyanates have been provided with a medical surveillance program—and this pertains to what the member is saying—first, under the aegis of the Ministry of Health chest disease service and, since 1976, under a company program. I am advised that the individual workers have been informed of the results of their medical tests.

In addition, it has been alleged that workers have been denied access to information. Since the Occupational Health and Safety Act has been in place, the inspection reports are required to be posted in the work place and the employer is required to provide a copy of these reports to the joint health and safety committee. In the case of Trailmobile, I am advised that these provisions have been complied with.

An impression has been left with the public, not by the member but otherwise, that the Ministry of Labour relies solely on Workmen's Compensation cases as a means to initiate work place investigations. That simply has not been the case. To the ministry, the Workmen's Compensation Board claims serve as a trigger of last resort.

Mr. Martel: On a point of order, Mr. Speaker: I ask you to check the record. At no time did I suggest that the workers could not accompany management. That is a prepared statement, made God only knows where; based on a newspaper report, I suppose.

The second part is with respect to who is making the allegations as to whether the Ministry of Labour itself knew about the number of cases and whether it was reported to the Workmen's Compensation Board. In fact, Dr. Pelmear has made the statement, "There is no legal requirement that employers report disturbing health patterns to the ministry." I suggest the minister start housecleaning and the first to go should be Dr. Pelmear.

The Acting Speaker: The honourable member has made his point of order.

Mr. Wrye: Mr. Speaker, let me go back to the first of the minister's prepared statements to see if I can get a response on this. The minister said in his prepared statement that "more effective measures may need to be implemented . . . to protect the health of workers." My question is a simple one, and I think it is what my friend the member for Sudbury East was getting at. How much longer is the minister going to wait for the company to take those more-effective measures before he steps in and orders them to be taken?

Hon. Mr. Ramsay: Mr. Speaker, a very short period of time.

2:40 p.m.

HUNTING REGULATIONS

Mr. Pollock: Mr. Speaker, I have a question of the Minister of Natural Resources. The minister is well aware of the regulations in regard to moose hunting, which allow one moose to two hunters and two moose to four hunters. The regulations also stipulate that they are to be hunting together. If they go hunting and are hunting in the same area, I would say they would be together. Surely the minister does not mean they are supposed to be holding hands. Will he clarify that?

Interjections.

Mr. Acting Speaker: Order. The minister will respond to the question.

Hon. Mr. Pope: Mr. Speaker, there are regulations in effect with respect to hunting in groups or in parties. Those regulations do not change, and we do expect some reasonable effort to be made by the hunters to maintain the party units when they are out hunting. If they do not, they will be prosecuted.

Mr. Pollock: Will the minister regard them to be hunting in a group if they are within gunshot range of each other or within hearing range of a gunshot?

Hon. Mr. Pope: No, because you could have howitzers and have a 50-mile range.

Mr. Conway: Mr. Speaker, the member for Hastings-Peterborough raises a very valid concern shared by many of my constituents. I just want the minister to be clear on the point that he will give the member a commitment to—

The Acting Speaker: Is this a supplementary question?

Mr. Conway: It is a supplementary; absolutely, Mr. Speaker. I want to know whether the minister will give an undertaking to communicate to the district offices in the very near future his definition of reasonableness in this case, since a number of hunters have communicated to many of us over the course of the last few days that some of the interpretations have been very severe, if not harsh.

Hon. Mr. Pope: Mr. Speaker, the member for Hastings-Peterborough wrote to me last week on this matter and has discussed it with me over the past few days. The fact is that the party licence system is in effect. We have a responsibility to enforce the party licence system. We have announced a new moose hunting system for next year which is similar to the deer system we have in place in the southern part of Ontario. That should alleviate some of the conflict and some of the problems.

This question arises, I understand, around this time every year, and it relates to the hunting season. There is always some unhappiness both with the party regulations and with the hunting zones. We try to give as much flexibility to the staff as we can to deal with these problems, and by and large they are doing a darned good job of dealing with them.

GOLDMAN CASE

Mr. Spensieri: Mr. Speaker, my question is of the Attorney General and has to do with the administration of justice.

I wish to remind the Attorney General of a commitment made to me and to members of this House on September 30 in response to my question concerning the observations of His Honour Judge O'Connell in the police misconduct allegations during the Goldman trial and on the wider issue of the public's perception of declining standards among police officers in the administration of justice and in their role in it.

The Attorney General promised to report back, possibly through the Solicitor General (Mr. G. W. Taylor), on the judge's comments. Is he prepared to do so today or, as an alternative, can he tell us when he will instruct the Solicitor General to do so?

Hon. Mr. McMurtry: Mr. Speaker, I am not going to instruct the Solicitor General today or any other day as to what report he would like to give to the Legislature.

Interjections.

The Acting Speaker: Order.

Hon. Mr. McMurtry: Thank you, Mr. Speaker. I certainly had intended to respond in the House to the honourable member's question. I had asked my own staff to report and to communicate our concern to the Solicitor General. I do not yet have that report on the Goldman case. I hope I will have it in the near future, but I will be responding to the member's question.

Mr. Spensieri: On the same date the Attorney General was questioned about the 16-page report prepared by the Provincial Secretariat for Justice on the administration of justice in which the government was urged to improve the system. The Attorney General stated that he did not know of such a report, and I ask him once again, has he now had the opportunity to see the report or to determine its existence? If he has it, will he table it?

If he has not seen it, can he explain to the House why the chief law officer of the crown has been kept in the dark about such a fundamental document, especially in the light of the fact that such a document takes on a new sense of urgency after the revelations in the Goldman case, the revelations we have had in the Marafioti ticket-fixing case, and the further revelations this morning at the adjournment of the Proverbs case, especially since the Attorney General has himself been forced to concede that the traditional methods of dealing with alleged police misconduct through the Criminal Code have proved insufficient and unenforceable?

Hon. Mr. McMurtry: I have made no such statement or concession that traditional means are unenforceable or inappropriate. I do not know what the member means by that. I have not seen this report, which he now describes as a 16-page report. I do not know whether it exists. I am sure the member is interested in the report but I would have thought, if he were truly interested, he would have asked the Provincial Secretary for Justice (Mr. Sterling) whether

such a report exists. I simply have not seen any such report.

METRO TORONTO BILL

Mr. Grande: Mr. Speaker, my question is to the Minister of Education and it has to do with Bill 127. Now that she has moved to appease the political needs of her cabinet colleagues, namely, the Minister of Health (Mr. Grossman), the Minister of Intergovernmenal Affairs (Mr. Wells) and the Attorney General (Mr. McMutry), and some of the back-benchers, through the 1.5-mill local level amendment, by which she accomplishes in three years what she stubbornly wanted to accomplish in one year in the original bill, will she move to alleviate the fears of parents and teachers and withdraw Bill 127? If implemented, this law will do serious and irreparable harm to children in Metro Toronto.

Hon. Miss Stephenson: Mr. Speaker, the hyperbole of the honourable member is interesting. There is no rationale and no logic that can be put forward by anyone to support the final statement in his so-called question. Modifications have been made to Bill 127, in response to the concern expressed by parents, to provide school boards and teachers with the opportunity to bargain appropriately to ensure that a very significant degree of total autonomy will be retained at the local board level to deliver programs. Those provisions already have been made in the amendments and it seems to me they are appropriate.

Mr. Grande: Given the demonstration outside the Legislature recently by more than 5,000 parents and teachers, given the more than 10,000 signatures on petitions the minister's office and the office of the Premier (Mr. Davis) have received in the past couple of months, and given the arrogant, undemocratic and politically unaccountable Metropolitan Toronto School Board level, when is the minister going to realize that John Tolton, chairman of the Metro board, and Charlie Brown, secretary-treasurer of the Metro board, are leading her directly by her nose on this issue?

When is the minister going to remove the political blinkers she put on about four months ago and realize and feel and see that the bitterness she is creating in Metropolitan Toronto over this issue is not worth it?

Hon. Miss Stephenson: Since I am not the author of the bitterness, nor am I the author of the confrontational methods that have been developed, nor indeed could it have been said that the hearings were not held in good faith to hear the concerns expressed by those who were present, I wish the member to know, first, I do not have a nose that is long enough to be led by, and, second, there are other chairmen, other members of school boards and many other citizens who are very strongly in support of the bill, even as amended.

2:50 p.m.

Mr. Bradley: Mr. Speaker, in view of the fact that very strong representations were made, albeit the minister got her way in committee in terms of the negotiating process and the surplus-deficit aspects of the bill, would she be prepared when that bill comes to the House—I hope the minister will withdraw it, but if she insists on bringing the bill to the House—to rethink her position and provide for a discretionary levy of two mills without any stipulations as to how that money will be spent, since the amendment she put forward in the committee did not have much genuine effect on the amount of money available because she used the base of the 1981 assessment?

Hon. Miss Stephenson: Mr. Speaker, the 1.5 mills does have a very significant effect on the amount of money that would be available in terms of the ratio of the amount which is yielded by that levy at the various constituent boards. To ensure that there would still be some expansionary capacity as well as a reduction in the disparity, the amendment was made.

The honourable member has suggested that we should make other amendments to the bill when it comes back to the House. I think we have made significant amendments, and I think it would be worth while to have that legislation operative for a period of time.

As the member knows, I have made a public commitment to a review of the discretionary levy within three years to determine whether it is at the appropriate level, whether it is being utilized appropriately and whether there are changes that should be made to it. I stand by that commitment, and I believe the government will stand by it as well. I believe the bill should go forward now.

CONFLICT OF INTEREST

Mr. Roy: Mr. Speaker, I have a couple of questions for the Attorney General dealing with the conduct of certain members of the legal profession.

I want to deal first with a situation that occurred in Ottawa last week where seven

people, including the former president of a caisse populaire and a former, disbarred lawyer and self-confessed fraud artist, were charged with fraud involving some $5 million.

Without dealing with the matter, which is currently before the courts, will the Attorney General look at the legislation dealing with credit unions and caisses populaires and possibly deal with his colleague the Minister of Consumer and Commercial Relations (Mr. Elgie) with a view to having legislation that is stronger than the present section 69 of the Credit Unions and Caisses Populaires Act, which forces disclosure on the part of professionals when they have a conflict of interest between their personal interests and the interests of the institution which they serve?

Will the Attorney General undertake to review this matter with the Minister of Consumer and Commercial Relations to see to it that situations causing conflict of interest not only are disclosed, which apparently does not work, but also are eliminated?

Hon. Mr. McMurtry: Yes, Mr. Speaker, I am happy to give that undertaking.

Mr. Roy: Let me ask a supplementary dealing with another situation involving a member of the legal profession. This is again a matter of some concern in eastern Ontario.

The minister will recall that a few years ago, the so-called Mad Canadian, Ken Carter—

The Acting Speaker: This sounds like quite a different question to me.

Mr. O'Neil: He is talking about lawyers.

The Acting Speaker: Oh, it is about lawyers. I respectfully ask the honourable member to tie it into the first question.

Mr. Roy: I will spell it out. I do not want to confuse you in any way, Mr. Speaker, so I will be as charitable as possible. I was talking about members of the legal profession and I am going to relate this particular situation.

This so-called Mad Canadian, Ken Carter, had a promoter, a member of the legal profession in Ottawa, who went bankrupt and apparently involved creditors from all over eastern Ontario. The Attorney General will know that some complaints have been made to the law society.

Among the responses, a Mr. George Hargraft, the claims manager for such claims, stated, "It would appear that there is strong evidence of fraud on the part of Mr. Kennedy"—this is the lawyer who was the so-called promoter—"and the cause of the creditors' loss appears to stem from fraudulent behaviour on the part of Mr. Kennedy." He is a member of the legal profession, Mr. Speaker.

The Acting Speaker: So the question will be on the legal profession and lawyers?

Mr. Roy: That is right. May I continue?

The Acting Speaker: Yes.

Mr. Roy: Will the Attorney General undertake to advise whether this matter is being investigated by the police, in view of the allegations of fraud on the part of this individual, whether this matter has been referred to the Ontario Provincial Police for investigation and, finally, whether it is proper for a bankrupt lawyer, after he apparently gets his discharge, immediately to be given the responsibility of handling trust funds?

Hon. Mr. McMurtry: I do not know about these allegations against Mr. Kennedy. All I can say is that I will look into the matter and report back to the member for Ottawa East.

HOSPITAL FUNDING

Mr. McClellan: Mr. Speaker, I have a question for the Minister of Health. I wonder whether the minister will be interested in knowing that our research office did a survey of 10 hospitals in Metropolitan Toronto and found a familiar litany of problems in our hospital system.

These conditions are becoming chronic, particularly as follows: The 10 Metro hospitals were facing a cumulative deficit of $10.5 million as of the end of September; occupancy rates ranged from 85 to 98 per cent; in these 10 hospitals, 350 patients were in active treatment beds awaiting the availability of chronic care beds; one of the hospitals, Toronto Western, which happens to be in the minister's own riding, had patients waiting in the emergency corridors on an average of two to three times per month.

Will the minister not agree that this litany of problems is becoming a chronic condition, that the existing policies which have been in effect for more than three years are not working or solving these problems, and that the time has come to direct more health care dollars into more effective preventive health care services and especially into the development of a major program of community health centres to take some of the pressure off our hospital care system?

Hon. Mr. Grossman: Mr. Speaker, we are concerned about the deficit situation. I know

the honourable member shares our concern that if all the hospitals in the system ran at about 10.5 per cent over budget—I think that was the figure he cited—that would cost the taxpayers about $340 million. Obviously that is an enormous amount of money and we want to do something to get out of that chronic deficit situation.

Accordingly, with the great assistance of my colleague the Treasurer (Mr. F. S. Miller) and the Chairman of Management Board (Mr. McCague), we have been able to come up with a slightly adjusted formula this year for funding hospitals which will go into effect immediately, shortly after we send out letters to all the hospitals in the province. That will occur later this week. It will not solve all the problems, but it will act to make 1982-83 a bit of a turnaround year.

To give the member a look at that sort of situation, may I say it has required a great deal of new money to be allocated to the hospital system by the Treasurer and the Chairman of Management Board. They have been most accommodating in doing so to allow us to get out of this chronic deficit situation.

May I also say it is important we have an opportunity to see how successful some hospitals will be, and they will be the ones in large urban centres, at fully utilizing the business-oriented new development program to achieve some of the things they have wanted to achieve for a long time.

I know the member has been reading my speeches carefully in the last little while. In so doing, he has seen me address literally every one of the issues he has raised. With a view to confirming that we are moving ahead on those, I am meeting during a two-day session with the senior officials of the Ontario Hospital Association to look at the issue of hospital funding and how we might adjust the current formulae.

I know the member is aware of the speech I am giving Thursday morning to those people involving community health centres and health service organizations which may or may not have prompted this question; I cannot be sure. At that time, I hope to indicate a firm ministry direction in support of those kinds of alternatives.

3 p.m.

Mr. McClellan: I am not aware of any speech on Thursday, but I am aware that the minister has commissioned Fraser Mustard to work on a task force, studying community health centres, among other things. Fraser Mustard told the government over 10 years ago to establish community health centres as a way of taking pressure off the hospital care system and the minister has done absolutely nothing about it. That was in 1972, I believe.

Hon. Miss Stephenson: I was on the committee, and that was not what he said. It was in 1973.

Mr. McClellan: That was only nine years ago. When Fraser Mustard makes his report in a few weeks or whenever it is, since it is inevitable what his report will say—it will say what he said nine years ago, which the minister has ignored for the last nine years—can I have the assurance of the minister that he will change the allocation of funds? At present, I believe, $15 million out of a $6-billion health budget, or 0.2 per cent of the total budget, is allocated for community health centres and health service organizations. Can we have some assurance now that there will not be another nine years of hot air and rhetoric, but some meaningful program, matched by dollars, to take some pressure off the hospital care system?

Hon. Mr. Grossman: May I say, without debating for the rest of the afternoon what Fraser Mustard said or did not say in 1972 or 1973, the reality is we have a number of health centres in this province, together with a number of HSOs. In large part, that is due to the excellent work done by Fraser Mustard and, I must add, my colleague the present Minister of Education and Colleges and Universities (Miss Stephenson) at that time and subsequently. To the extent that we have some very fine organizations of that type in existence in this province—

Mr. McClellan: Nineteen of them.

Mr. R. F. Johnston: Nineteen big ones.

Hon. Mr. Grossman: That is correct. The extent to which we have a lot of successful enterprises such as those in this province is largely due to the funding and program devised by this ministry as well as the people running those centres and those HSOs. It is our intention this Thursday to try to remove any sense those people may have that they are on a trial basis or a pilot project basis, to tell them they are in the mainstream of the ministry's funding on a firm basis. In doing so, I can assure the member we will be listening very carefully to the report of Fraser Mustard. I know the member was reassured by the appointment by me of Dr. Mustard to that job several months ago. I obviously will not do with this report anything I would not do with any other report. I am not going to marry myself or the government to all the provisions of that report until I have read it. When I read it, I

will be responding in part on Thursday and more completely at a later time.

Ms. Copps: Mr. Speaker, the minister will no doubt be aware that the new formula funding, which will result in a possible increase of two per cent in hospital budgets and which will come about on Thursday, was alluded to or announced by his colleague the Minister of Revenue (Mr. Ashe) in Saturday's issue of the Toronto Star. I wonder if the member for Durham West (Mr. Ashe) was commenting in his capacity as the Minister of Revenue or as a result of a letter he sent to the minister in his capacity as the member for Durham West.

In that letter, he said that the situation in the hospital is so bad there are weekly, if not daily, reports in the newspapers of people who are forced to spend up to four days on stretchers in hospital corridors, because the Minister of Health and his government have not come to grips with the problems in this area. Is that why the Minister of Revenue was privy to that information on the weekend?

Hon. Mr. Grossman: May I make two points? First, as is becoming a habit around here, the member's information is totally incorrect. The new formula does not involve a two per cent increase in hospital budgets but, like everyone else, she will just have to wait to see what it does involve. I regret she relied on whatever sources she relied on for that information.

Second, there are two reasons I have shared details of the new formula with my colleague the Minister of Revenue. First, he is part of the cabinet that agreed to dedicate substantial extra millions of dollars to this project, to assist in the operation of hospitals. As such, he, of course, has agreed, along with all my colleagues, to contribute to trying to resolve this problem. Great credit is due to my colleagues who all have had to sacrifice some money from their own budgets to try and solve the hospital problem.

The second reason is my colleague does not have the luxury that many across the floor have of going to every hospital in the province and saying, "I would give you more money if I could just because you would like some." My colleague, above and beyond all the rest of us, went through many weeks of hearings last June and July fighting to raise the extra revenue pursuant to the excellent budget of my colleague the Treasurer (Mr. F. S. Miller) last May, where he raised substantial extra dollars to do that. I might add that the Liberal Party fought each and every one of those revenue-raising devices while the Minister of Revenue fought for them.

We have money to solve those problems because of the courage of my colleagues, not the namby-pamby "we oppose all revenue raising" that we get from the opposite side. All the expletives the member can give are not going to change the situation.

COURT DELAYS

Mr. Wrye: Mr. Speaker, I have a new question for the Attorney General that deals with the case of Mark Allen Burns, whose five charges of breaking and entering, theft and possession of stolen property were dismissed in county court in Windsor last week.

I would like to refresh the Attorney General's information by reminding him that on January 27, Burns was taken into custody. At that time bail was denied. On April 29, he escaped police custody while being transferred to jail after an unsuccessful bail review.

On June 17, after a further bail hearing and review, he was again remanded in custody until trial. His trial began on October 19, fully 10 ten months after he had been brought into custody on these charges.

Applying the Charter of Rights, the trial judge felt he had no other reasonable course but to release the accused and throw out the charges. In his view there had been, and I am quoting the trial judge, "Such a fundamental violation of rights it is the only appropriate remedy." Finally, I would remind the Attorney General that the man who was released, Mark Allen Burns, has 21 previous convictions for break and enter, theft and other offences.

I would like to ask him what is going on in the office of the crown attorneys in Essex county that they can allow this type of scheduling foul-up? Is no one watching to ensure that these situations do not happen?

Hon. Mr. McMurtry: Mr. Speaker, I am not familiar with the case of Mark Allen Burns. I have made a note of it and I certainly will be obtaining additional information. I think we have an excellent crown attorney, Mr. Brian McIntyre, who must be known to the member opposite; a very committed public servant of this province who does an effective job as the crown attorney.

We do have some problems with respect to scheduling cases in Windsor, and that is well recognized. I am not going to go into all the details of this issue, but part of the problem is that the number of lawyers who are active in the

criminal courts is relatively small compared to the work that is available and compared to the size of the profession in that area. As a result, there are a lot of scheduling conflicts which have led to delays. They may or may not have led to this particular delay.

We have had a number of discussions about dealing more effectively with the work load in Windsor, and I think some solutions have been found. We will be appointing another provincial court judge, I hope, this fall. So far as the case of Mark Allen Burns is concerned, I just cannot tell the honourable member what has led to the number of adjournments, but it is something I will inquire into.

Mr. Wrye: While I appreciate the comments of the Attorney General, I would suggest to him that the competence of the crown attorney in that office in Windsor is really not at stake. I agree that the crown attorney and his staff are excellent, though a little overworked. If the Attorney General is so familiar with the overloaded and overburdened trial lists, I would remind him that there is at the moment a backlog of over 300 cases on the criminal jury list alone, not to mention nonjury criminal and civil trial lists.

What will the Attorney General do to assure the public of Windsor, which is very concerned about what has happened in this case, that a Burns-like situation will not recur? And what will the Attorney General do to assure the judges and the crown attorneys that they will have sufficient resources to prevent these Burns-like situations in the future?

Hon. Mr. McMurtry: Again, I do not know enough about the Burns situation to indicate whether I can give any assurance with respect to its repetition or not. I am not going to say at this time if I even agree with the manner in which the trial judge disposed of that particular case.

I happened to be talking with our director of crown attorneys about the Windsor situation in general as recently as this morning. I will be in Windsor next week and I will be meeting with the crown attorney's staff there. We have had problems in the scheduling of the cases in that area and it is a matter that is going to continue to occupy our attention.

3:10 p.m.

UNIVERSITY FUNDING

Mr. Allen: Mr. Speaker, I have a question for the Minister of Education, Colleges and Universities. During the past week the minister had what can be called a privilege that I did not have, which was that of meeting with the ministers of education of the various provinces. The member for Renfrew North (Mr. Conway) and I, as critics of universities and colleges, were not invited to that event so we are not privy to its proceedings.

However, given the crisis in university funding which stalks this land, and this province in particular, with which the minister is extremely familiar and which jeopardizes our potential as an advanced industrial let alone a civilized society, and given the possibility that in moving away from the established programs financing arrangement, it is obviously an open option for the federal government to simply divert its higher educational funding into the economy at large and force the universities into a financial crisis and this province into a university funding crisis which will make the present seem child's play, will the minister inform the House as to any progress which she and her fellow ministers made on that particular question and any leadership she provided in guiding that conference? Will she hazard a guess as to the time frame for resolving this particular issue?

Hon. Miss Stephenson: Mr. Speaker, it is simply dreadful that the opposition critics did not attend that conference. The conference was not organized by the province of Ontario. It was organized by the Council of Ministers of Education, Canada. Its organizing team was chaired by a former deputy minister of the province of Manitoba. There were provisions made for a fairly wide-ranging attendance.

It was felt it would be most appropriate if those attending were those who were directly involved with or had direct interest in educational matters at the post-secondary level. It was related to the members of the steering committee that those to be invited should represent the university community, the college of applied arts and technology community, the faculty associations of the provinces and the student associations of the provinces. Those were the people who were represented.

I regret that no one at any provincial level saw fit to invite a member of the opposition of the provincial government to attend the conference. That was obviously an oversight on the part of the organizers and I shall draw it to their attention.

It was a very interesting conference in that it did provide an opportunity for all of those communities that are concerned about post-secondary education to at least meet face to

face and to exchange views and to carry on some discussion about four items related to post-secondary education.

The question asked by the honourable member however, is one which at this point I cannot answer. As I said earlier, I met for the first time on Wednesday evening of last week, with the fifth Secretary of State with responsibilities for universities in four years. I am very much encouraged by the obvious understanding of the new Secretary of State of the whole university community and of his obvious concern to that community and the fact he was once a part of that community. He has expressed a willingness to discuss with the Council of Ministers of Education, Canada, matters related to the paper developed by his predecessor, the establishment of national goals and some mechanism for ensuring that there will be participation of all sectors in the examination of the problems of post-secondary education.

It is my understanding that all of the ministers of finance in Canada are unanimous in declaring that the matters related to established programs financing should be discussed between the Minister of Finance of Canada and the treasurers of the various provinces. I hope, and it is my understanding, that conversation will occur in the not too distant future.

PETITION

WAGE AND PRICE RESTRAINT PROGRAM

Mr. Allen: Mr. Speaker, I would like to present to the table a petition from 584 members of the Hamilton Teachers' Federation, the Hamilton Women Teachers' Association and the Ontario Public School Teachers' Federation in Hamilton that reads as follows:

We the undersigned are totally opposed to Bill 179, the proposed Inflation Restraint Act, which would limit our rights to free collective bargaining as guaranteed under Bill 100.

MOTION

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Hon. Mr. Wells moved that the subcommittee of the standing committee on administration of justice be authorized to meet this afternoon, Monday, October 25, 1982.

Motion agreed to.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, before the orders of the day I would like to table the answers to questions 238, 239, 242, 243, 247, 249, 254, 494, 495 and 512, the interim answer to question 535 and also the answers to questions 255, 496, 497, 498 and 509, all of them standing on the Notice Paper.

RESPONSE TO WRITTEN QUESTION

Mr. Boudria: On a point of order, Mr. Speaker, I would like to point out to you that question 159, dating back to May 18 with an interim answer on June 30, has not yet been replied to. I waited for the minister—

The Acting Speaker (Mr. Cousens): That was registered earlier, when the House met this afternoon.

An hon. member: Not that one.

The Acting Speaker: Not that one? All right. You have now made your point.

Mr. Boudria: I recognize that this was discussed earlier. I did not bring this matter up because I thought it would be one of the questions that would be answered today, as was indicated by the chair earlier. The question has not yet been replied to. As I said previously, the last information I received on it was that the date of information available would be June 30.

The Acting Speaker: Your point has been noted.

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, MINISTRY OF GOVERNMENT SERVICES (continued)

On vote 501, ministry administration program:

Mr. Chairman: We are continuing with the estimates of the Ministry of Government Services, and someone will have to refresh my memory as to where we were.

An hon. member: The minister.

Mr. Chairman: We were with the minister.

Hon. Mr. Wiseman: Mr. Chairman, may I ask permission to sit in the front row here?

Mr. Chairman: Sure. I think that is allowed. Agreed? Thank you. Are we going to go item by item? Yes.

3:20 p.m.

Mr. Haggerty: I thought the minister still had a number of comments in reply to the leadoff

speeches made by myself and the member from the New Democratic Party.

Mr. Chairman: I thought he did that.

Hon. Mr. Wiseman: There were one or two I mentioned on Friday. Perhaps we could go ahead and the other points will probably come up again in conversation on the particular votes. I think there were one or two, but I just do not have them in the order now that they were given to me. Perhaps the members could refer to them again in the estimates as we go along, if that is all right with them.

Mr. Philip: Mr. Chairman, I want to make three points. First, in my opinion, the minister did not answer a majority of the questions I raised on Friday. Therefore, I hope he will take the opportunity now on this first vote to deal with those questions. Second, I do not think we should move off this vote until I have had an opportunity to get some clarification on the answers he has made. He certainly answered me in a very general way and in most cases has not provided the information I asked for. Third, I wonder if it would be possible to deal with item 1 of vote 501 but not vote on it until 5:30, because our critic on women's issues, the member for Beaches-Woodbine (Ms. Bryden), is tied up in another committee—

Mr. Chairman: I missed the 5:30 point.

Mr. Philip: Our critic on women's issues wishes to deal with item 1, which covers the affirmative action program. She is tied up in another committee and would like to ask the minister some specific questions on that. If we could deal with this item but stand down the vote on it until 5:30, that would give her an opportunity to participate in the debate.

Mr. Chairman: Would the member for Erie be willing to stand down the vote until the member for Beaches-Woodbine arrives? We will need the consent of the House. Would the minister mind? The minister does not mind.

Mr. Haggerty: There are other members who want to speak on these estimates too. I cannot make a judgement here whether we should wait until somebody else gets here. I suggest there are members who want to get on with the estimates. It depends upon how long—what vote are we looking at?

Mr. Chairman: We are looking at item 1 of vote 501, the main office. The member for Etobicoke (Mr. Philip) suggested that we could have a full discussion and, if there is general agreement that we have finished 501, we will not specifically vote on it but carry on to 502. When the member for Beaches-Woodbine returns, then we can get back to item 1. Keeping in mind there are only two hours and 12 minutes—

Mr. Haggerty: That is right.

Mr. Chairman: —that gets us to about 5:30 or a little after.

Mr. Philip: Mr. Chairman, the normal protocol is that when a member has a specific responsibility and is tied up with other responsibilities on another committee, it is agreed that we stand down a vote until such member is able to have his or her questions addressed.

Mr. Chairman: I think we are in general agreement. We are trying to be most accommodating.

Mr. Haggerty: It is just a matter of time. I do not know how much longer you want to go on with it. Is there half an hour set aside or one hour or what?

Mr. Chairman: No, I think we just have to keep talking. When we are finished 501, we will go on the presumption that with the unanimous agreement of the committee we will not specifically vote on it until such time—

Mr. Haggerty: What particular vote are we looking at?

Mr. Chairman: Vote 501, item 1. Is that right, member for Etobicoke?

Mr. Haggerty: The main office?

Mr. Philip: Yes, we are talking about the affirmative action program, which would be under the main office vote.

Mr. Chairman: I see. Let us try to continue and see how it works out. Dealing with the first vote then: Would members want to discuss items 1, 2, etc. or can we just talk generally about vote 501?

Mr. Philip: Generally.

Mr. Chairman: All right. Does the minister have any opening comments?

Hon. Mr. Wiseman: No.

Mr. Chairman: Do you agree with that? We will talk generally on each specific point.

Hon. Mr. Wiseman: Fine. Did the honourable members want me to answer the last two questions they asked the other day or will we just pick them up when we get around to them?

There was one I will mention. The member mentioned there were 6,000 bookmarks sent to one outlet. The number 6,000 was marked on the box but there were only 2,000 in the box, and the total cost was $18.16, so we were not talking

about very much money. The member asked me about advertising and the fact that we had 6,000 of these bookmarks sent to one store somewhere. I have forgotten which riding it was. It was a very small amount. The total cost for the postage and everything was $18.16.

We may want to leave the other two questions until we get around to them again and I can answer them more fully. There were only two, I understand, and I thought I paid quite close attention to all the questions asked of me at that time.

Mr. Haggerty: I want to question the minister on his opening comments. He said, "The additional $7.9 million allocated to my ministry by the Board of Industrial Leadership and Development provided a further 1,500 new jobs in Ontario this year." Is that the money that was allocated here last spring? Does the minister have any additional funding in the proposed budget report for an immediate job creation program?

What is his policy as it relates to the number of persons now unemployed? How are we going to come up with a comprehensive scheme to get these people back to work and assist those who will not be able to draw unemployment insurance? What is his program in connection with job creation in his ministry and perhaps in the other ministries too?

Hon. Mr. Wiseman: Mr. Chairman, as the honourable member knows, BILD did give us $7.9 million to spend this year. To give a breakdown of those 1,500 jobs—1,531 jobs to be exact: in major capital, we had 35 jobs; in minor capital, 35; in alterations, 174 jobs; and in repairs, 1,287 jobs.

For the $7.9 million, that would give us 1,531 jobs. The directive we had was that this money had to create jobs in this fiscal year, meaning before March 31 of next year. That is where we use the BILD money. I have a large list. Rather than read it all to the member, I would be glad to send him a copy.

There were jobs created all over the province and different areas benefited from this. The largest amounts were spent on alterations, $3 million, and on repairs, $3.7 million. There is a list about three pages long of where all these jobs took place in the different areas. Rather than taking the House's time, if the member is interested in where they were, I will send him a copy.

3:30 p.m.

Mr. Haggerty: I would appreciate receiving a copy, because I am as much interested in finding out how much money has been spent in the hub of Metro Toronto as has been spent in the Sudbury area, in Thunder Bay or even in the Niagara Peninsula.

In what other areas does the minister contemplate getting on with some major building project which would create a number of man-hours of work, not just for a period of two or three weeks or a month but for six months or a year? Does he have anything in his little black book that he would like to bring forward and say, "This is what we are going to do"? Is he going to be calling tenders for some major buildings such as courthouses that he would like to tell us about and that we can look forward to seeing?

Hon. Mr. Wiseman: As the member knows, our sum for capital expenditures is in the range of $35 million or $36 million, perhaps a little more. We could certainly use a lot more capital if we had it.

We are presenting right now, and have presented to cabinet as I mentioned in my opening statement, a Metro plan whereby we hope to amalgamate nine different ministries whose head offices are in different locations in the downtown core. We are finding that the cost of accommodation downtown is becoming very expensive. We will be moving along in that area.

We hope we can come up with some jobs on a tower east of Bay Street. We were over there this morning and watched the Young Men's Christian Association get started on its building. The Premier (Mr. Davis) said he hoped that would not be the last building on that site. I believe those were his words. We hope the city will work along with us in order to give us a little more coverage. As the member knows, we purchased it at about 11 or 12 times coverage and they down-zoned us to about two. We could have all the things they would like us to have, such as housing and maybe even a police station, if we had about 4.5 times coverage.

We are looking at all the sites we own at present around the city and in other places, particularly those in Etobicoke, North York, on the Lakeshore and so on, with the idea of seeing how long it would take us to put a proposal together, prepare plans, etc., so that if we had the capital funds we could do something such as the member is suggesting.

We have four capital projects to report to the House on right now, including the courthouse in St. Catharines. We are finishing up the Oshawa

project and we have the Ontario health insurance plan building in Kingston.

I see the Ottawa members are away except for the member for Ottawa Centre (Mr. Cassidy), who will be interested to know that we are going ahead with the Ottawa courthouse. That is a $50-million project and it will employ a lot of people. We will have a shovel in the ground on that early in the spring, I hope.

There are $76 million in the estimates this year, but part of that is to pay for the building in Oshawa and for our building in Kingston. That makes it look as if we have a lot more, but with those two big chunks taken out I think it will bring us down to about the $36 million which we have on an ongoing basis.

The bottom line is that if we had a lot more capital we could bring some projects through fairly fast. That is what we hope to do. We will certainly inform the members if the decision I hope for is made so that we may start out on some of these projects. But right now I cannot honestly tell the member for Erie that we will start tomorrow, apart from those projects already mentioned.

Mr. Philip: In talking about centralizing, or having Government Services in one complex rather than five or six, is most of this office space that is being rented or is it space at present owned by the government?

Hon. Mr. Wiseman: In making the changes I mentioned, we have never been in a better position to do that. Because of the move of our ministry to Oshawa and the Ontario health insurance plan to Kingston we have two large blocks to do something with.

Both the buildings they are coming out of are leased. One of the ones we are hoping will make the first move is now in eight or nine different locations. We can save a lot on the leases, because we can cancel the expensive leases and keep some of the others that are more reasonable. By consolidating, I think the ministry involved can make some cost savings as well. The minister will be with his people rather than being separated. We have about nine like that. They are not all in eight or nine locations, but this will help to make savings both ways. As we get down the line, some of them will be in our own buildings, but the ones we are talking about at first are in leased accommodation.

Mr. Philip: You are not saying it is being moved into the east of Bay project but rather that you are moving these nine different office conglomerations of the ministry into the space that will be made vacant by the move towards decentralization to Kingston. Is that what you are telling us, that there will be an expected saving in being able to get out of the more expensive rental agreements with private developers?

Hon. Mr. Wiseman: I will clarify it a little more, because I have been working with it. Perhaps I have not made it quite clear. There are two different areas, one where we are trying to consolidate eight or nine ministries in leased accommodation. Besides that, we are looking at another area where we have a lot of options. We can either build, if we have the capital, or we have had developers come in and ask us if they could build on a lease-purchase arrangement. Because we have the land, some of them have said they will put up the amount of square footage we need and enter into some agreement whereby, for the land we have, we would own one of the complexes they put up.

There are many different arrangements we can make, but we must find out if we are going to have the capital. If we are not, then we will look at the other alternatives. The eight or nine moves can be done so as not to cost us a lot of dollars but to make some savings down the road. If we get the capital, the other area shows great savings down the road, but whether we can get that capital remains to be seen at this time.

Mr. Haggerty: The reason I asked the question is, when I look at the buildings south of Wellesley Street and east of Bay Street, I am sure they belong to and are part of the government of Ontario. At one time a couple of years ago, I thought there were prospects for private individuals who wanted to build a large complex of office facilities and even rental units for apartments.

You are talking about lease-purchase arrangements. I am sure you can recall that the present Workmen's Compensation Board building was built on a similar basis, and you had the private sector come in. I am sure you have enough land around here; your land banking is quite enormous. Is it not time to encourage the private sector to come in? Based upon a lease-purchase arrangement, you can perhaps start to develop some of this property now.

3:40 p.m.

You could bring in some of your other facilities. For example, the one on King Street where you had the Ministry of Natural Resources. It was just a warehouse, but that has been torn down. I do not know what is going to go up

there. I do not know whether that land belongs to the province. All I am suggesting is some form of job creation program, particularly in relation to high-rise buildings which take quite a bit of steel, cement, bricks and mortar. It is labour intensive.

In this time of a depressed economy and high unemployment, is it not time for the government to look at some arrangements of this sort to get a permanent job program going? If we are really serious about creating jobs in Ontario, maybe you should be looking at developing that property.

As it is now, all I see is truckload after truckload of pamphlets and brochures for the Ministry of Tourism and Recreation and the Ministry of Industry and Trade. Surely that property is more valuable. You should have a high-rise building, perhaps a government building together with rental units, office facilities or even apartments. In other words, you should be getting the show on the road.

Hon. Mr. Wiseman: I agree with the honourable member. What he said is along the same line as my own thinking.

I will bring the members up to date on what has happened east of Bay. Maybe they are aware of it. If they are they can nod their heads and I will not go through it. We did have a planner after we went to try to get four and a half or five times coverage from the then mayor of Toronto and it did not go through. We then had another planner who came in and gave us a plan that seemed, and I do not want to put words in the mouths of the municipal people, to have general agreement as to what would go on that site.

It showed some senior citizens' housing and the Young Men's Christian Association using the piece it started on this morning. With four and a half times coverage, closing out the street would give us the type of coverage, would give us enough space so we would not have to build any office space for some time in the future. Then we would do it in steps, one down on the corner of Grosvenor and Bay to tie in with the YMCA and so on.

We had a few meetings with the mayor, the chairman of Metro and the police chief. The chief was interested, and I believe still is, in having a Metro police office there. We are willing to try to co-operate as much as we can, but the bottom line is we own the land and have an obligation to the province to put up some office space. We want to be a good Samaritan, but we want to have some office space left at the end for ourselves. That is why we have been holding it for all these years.

The Premier mentioned this morning in his remarks at the site that the city closed off part of the lane for the YMCA. Perhaps when we talk to them they will be quite open-minded on the coverage we need. Maybe we could accommodate all the things the planner showed in his plan at that time.

The bottom line is that what you have said is right. We would like to get some building going to stimulate the economy, whether we do it or another developer does it. I think you will probably see something like that.

On lease-purchase, I should say it is not as easy as it once was because of the interest rates. They are going in the right direction now, they are coming down, but when the interest rates were jumping all over the place, as the members know, one really put the builder in quite a bad position. He might have bid at an interest rate of 18 per cent but things went to 20 or 22 per cent or better, as we have seen.

When interest rates are stabilized, it is our feeling that capital is the best in the long run. Next to that is lease-purchase. The last, of course, is leasing; leasing was always more expensive. That is what we found in the past and, with leases escalating as they are, I think leasing is still going to be the most expensive way to go.

Bear in mind, when the member from Erie says a lease-purchase, we like those but we do not want to see anybody go bankrupt entering into an agreement like that with the interest rates fluctuating as they have in the past. Once they stabilize, I think we could look at that again.

Mr. Haggerty: The ministry can go to the Ontario Development Corp. and get some favourable interest rates, from zero to about—I think they have now changed it a little—17 per cent, but the majority run about seven per cent. There is a possibility you can form your own corporation over there and put the buildings up. You can borrow the money from the ODC and you have your interest rate pegged.

Interjection.

Mr. Haggerty: You have asked for suggestions and this is what we are trying to do.

On the matter about the building and the government running the building, I guess there is 110 Ellington Avenue West. How many floors of that building do you rent?

Hon. Mr. Wiseman: I wonder if the member would repeat that and I will have the staff check it.

Mr. Haggerty: Apparently you are renting a property at 110 Ellington Avenue West. How many floors are you renting in that building?

Hon. Mr. Wiseman: Would it be Eglinton?

Mr. Haggerty: Yes, Eglinton.

Hon. Mr. Wiseman: If the members want to go on, I will get that information.

Mr. Philip: I have a few items arising out of the minister's answers to my first series of questions and my opening statement, but on this item can the minister tell us specifically what properties are now being sold off by the government? He mentioned that there were some properties that, because of reserved bids, they had tried to sell off and were unsuccessful.

Can you give us a list of which properties are at present being sold by the government? I wonder if you can be more specific about the criteria for evaluating whether or not a property is sold to private enterprise. I realize he outlined that if there is a surplus property owned by the government, he first of all approaches the other ministries and if there are no takers he approaches the municipalities.

What is the cutoff? Is it the price? There may well be a social cost in selling off some of this property. The most flagrant example was the selling of the Bergamot property, where a private developer came in and bought a government-owned project for less money 14 years after the government had built it on the promise he would fix it up because it was uneconomical for the government to do so.

He did cosmetic changes to that building. He evicted all the tenants, or the Ontario Housing Corp. did, transferred them to other developments and promised them they would go back into a new project. He sold it off to a private developer who was able to remove it from rent review because with cosmetic changes it was called a new building, and they really were cosmetic changes.

Those units that were originally servicing poor people are now gouging people at $500 and $600 per month. I am wondering what human or social weights you put when you have something like that, which obviously serves the social purpose of providing housing to low and middle-income wage earners, when a co-operative was willing to buy it and keep that purpose and yet you sold off the building to a private developer who is making a profit and raising it out of the reach of the average person who was living in that community? Can you give us the weighting of that? Is there a factor that you build into the sale of the property?

3:50 p.m.

Hon. Mr. Wiseman: With regard to the selling of property, I would like to co-operate with the member, as he knows, in giving him the figures when he asks for them, but it would be almost impossible to say just how many we are selling off, because not a week goes by when I do not have to sign that so-and-so was the highest bidder on such and such a piece of property.

We are probably the largest landlord in the province. Maybe the federal government is ahead of us; I do not know, but we are one of the largest. We have a lot of property that we are disposing of that has become surplus or something by one of our sister ministries. I would like to co-operate on this, but I honestly cannot give the exact numbers, and I hope you will understand that.

With regard to property sales, you were right about the way it goes. We circulate it to all the ministries. We ask the municipality if it has a need for it. One thing that maybe I did not say the other day is that occasionally, if it is something a municipality is going to use for a park or something else where we can write in a designated use for it—there is a phrase for that, "special uses," which I think tells you what I am trying to say—it is written into the agreement, and at that time we will sometimes sell it to the municipality for less than market value.

But keep in mind that if it changes from that special use and they resell it to a developer, then we ask for the difference between what we sold it to them for and what market value is at that time. Otherwise we could come out with egg on our face if someone bought it and turned right around and sold it.

I am not familiar with the property you are talking about. Perhaps if any of my staff are listening and have anything further to add to this, I can give it to you in a few minutes. The bottom line is that when we put it up for tender or with a reserve bid, it is, as we all know, just as if we go out to buy something: if a person beats the reserve bid and is the highest bidder, then in our society as it is that person would get it.

To get around what you were mentioning, if a person or the city wants to use it for a special purpose, perhaps they can come in a little early and suggest what that special purpose is and we can consider it at that time. Otherwise I think we have no alternative but to sell it to the

highest bidder; or, if it is a case of their being over our appraised value, we have to let it go.

Mr. Philip: I find it preposterous that in a city that has 8,000 families on a waiting list to get into geared-to-income housing the government would be so near-sighted as to sell off an already geared-to-income project, the Bergamot project, to a private developer who is going to rent it with very limited cosmetic changes at $500 or $600 a month, which those people in that project obviously cannot afford.

When there is that kind of waiting list, the government is going to have to subsidize in some other way, perhaps through a rent supplement program, many of the families who are being displaced.

What I am suggesting to the minister is that some weight should be given, at least in communities where there is a shortage of affordable housing, to co-operatives, nonprofit bodies and church and other groups which might provide the kind of housing that is needed. They should at least be given priority. It should not be sold off to the highest bidder who happens to come in over the reserve bid.

That surely shows a lack of co-ordination of policy, both on the part of the Ministry of Municipal Affairs and Housing—which will come as no surprise to members on this side of the House who have watched the Housing ministry operate over the years—but also there should be some co-ordination between your ministry and those other ministries in terms of giving some priority to social purposes rather than to private enterprise or profit purposes.

Hon. Mr. Wiseman: I could use as an example the church group, Youth With a Mission, which bought our property in Cambridge. The name of the property escapes me for a moment.

Mr. Barlow: Grandview.

Hon. Mr. Wiseman: Grandview, yes. The member for that area is here. They came to see us when we put that out for tender and actually beat the developer who was bidding that day. They got it for a fair bit under our appraisal figure. The church is using it for rooms and so on, as well as for young people.

I think the member gets into a grey area when he talks about my colleague the Minister of Municipal Affairs and Housing (Mr. Bennett). I know we are all brothers and sisters together, but providing housing for the province is his area. I am sure if he saw one of our properties that he felt would fit that need, he would do something.

If a group wanted to come and make a presentation on one of those properties we would certainly look at it. It would be an irregular process, but, if it was for a good purpose in the area and met with the Housing minister's criteria, we would see what we could do.

Mr. Philip: I doubt if that minister would do it, knowing the philosophical binds he gets himself into. Perhaps you would do it if you were Housing minister, but not the present minister.

Is it not possible to have a regular publishing of a list of available properties owned by this government, so that groups which may not necessarily be municipal or government bodies, or which may not have direct connections on a daily or monthly basis with municipal bodies, can at least see that a certain piece of property is coming up for sale? It may be worth while for that church group or that co-operative housing group to sit down with the minister who, as he suggested, would be happy to meet with them and perhaps come to some understanding.

In such cases it should not be necessary for the property to go on the auction block if the group has a legitimate social community use for that property. Perhaps some kind of an agreeable price could be reached based on the financing capabilities of the group and on the co-operation of the municipal authorities who would, supposedly, endorse such a project in their community.

With the computer system the minister has, can he not put together an inventory of properties which are in the process of being sold and publish it regularly?

Hon. Mr. Wiseman: We can look into the suggestions the member has made, but I should say that on Friday we were discussing advertising, and that budget for advertising is to let people in a particular area know that we are selling a piece of property. If we published a list province-wide our advertising budget would be quite high, with the number of pieces of property we have, and then we might get some scolding in here. When we are selling in a particular area, we always advertise it and that is the time when the groups such as those the honourable member mentioned should come forward.

4 p.m.

There is only this caution: Every time we seem to begin working with a group such as this, their intentions are good and the whole bit, but a

fellow called the Provincial Auditor keeps an eye on us. Sometimes we have held up selling a piece of property for some time, trying to be good Samaritans, only to find that they keep coming back wanting it for $1, and there is no way we could do that. After a year's time or so, the Provincial Auditor starts to make note of what we have done; so we have to move fairly fast on these things.

We do not want to sell it overnight and get a wrong dollar for it, but on the other hand there has to be a cutoff point whereby we can sell it, get money back in and start buying land where we need it for something else.

The staff are telling me that we also keep a list of potential buyers so they can be notified when there is a property coming up, because otherwise they may miss it. Anyone who wants to be put on the list would be on there. I give assurances to the members that if they have someone they want to put on there, I will make sure their name goes on.

This is when the property has been declared surplus by some of the other ministries as well.

Mr. Philip: I do not want to prolong the debate on this but it seems to me that, first of all, the Provincial Auditor will step in on the minister and investigate only if his objectives are not clearly stated.

The only reason the auditor would find fault in any way would be if there were no clearly stated social objectives for selling the property at a lesser amount than the market might obtain. The auditor's role is not to set government policy but to find out whether there is a policy, whether there is an objective that is being stated and whether that objective is being met.

Hon. Mr. Wiseman: I agree with the member. The problem is just the time that elapses between the first talk and when we actually get them saying, "If you do not sell it to us for $1, we will not have the money." That might be a year. That is when the Provincial Auditor gets after us and asks why we waited so long to make the business decision.

We are honestly trying to run this ministry like a business—having a heart for people as well, but trying to keep it on a businesslike basis. This is where we have sometimes run into trouble, waiting a year only to find that they have not got the money to buy.

Mr. Philip: Surely, though, a part of this is a planning problem, because most voluntary groups, be they church groups or municipalities, cannot move in immediately, within six months, and put a proposal together that quickly.

Surely what is needed is not a massive government advertising program but, rather, a central list so any groups that are in the co-op housing business or providing certain services can know that two years down the road there is a possibility that certain lands on such and such a site might be available or that certain space in such and such a building might become available?

With that kind of list, such groups can set their operations in motion so they are in a financial and planning level of development to make a proposal and able to compete or even to make their views known in a reasonable way with some chance of beating off, perhaps, a private developer who may have a fleet of lawyers and accountants and who can put together what looks like, and may well be, a much more professional style of proposal?

Maybe that is the problem, that community groups need more lead time than a corporation. I have worked with both; so I think I know the problems involved in pulling together a bunch of volunteers who want to do something in their community and who are involved in a whole lot of other things. In the case of housing, just dealing with the Canada Mortgage and Housing Corp., which can be a very bureacratic and awkward body to deal with at times, you need a couple of years' lead time to get a proposal going.

Before the minister gets up to respond to that, I wonder whether I can ask a very specific question that involves the same provision. Does the minister have unused space now which he is contemplating converting to day care centres and to interval houses, since we do have a problem in both those social areas? I believe, if I am not mistaken, the Ontario Public Service Employees Union has asked for day care services, which were not granted, in four government complexes in collective bargaining negotiations. Has the minister looked at the provision of space in government office complexes for day care centres and for the use of interval housing in any way in any of the government buildings?

Hon. Mr. Wiseman: It has just been brought to my attention—I had forgotten—that the Ontario Provincial Police College on Sherbourne Street was turned over for $1 to a group that did something very much like what the member mentioned. We did turn it over for $1. I do not want to prolong this, but we will look at the member's suggestions. We are reviewing what

we are doing with the sale of land and we will take that into consideration.

As to the member's last question, we do what we are instructed to do. I understand there was a study done by either the Minister of Community and Social Services (Mr. Drea) or the Provincial Secretary for Social Development (Mrs. Birch), one or the other, some time ago on day care and so on with the government. I understood that was being looked at again. If it is the decision of the government that we go that route, I am sure we will find space if that is its wish.

The member for Erie (Mr. Haggerty) asked about 110 Eglinton Avenue West and how much space we occupy there. If he has a pencil, I will read it off to him. We have part of the main floor, estimated at about 25 per cent, and the third, fourth and fifth floors. We occupy approximately 26,500 square feet at a cost of approximately $12 a square foot.

Mr. Newman: Is that the going rate in the area?

Hon. Mr. Wiseman: It is a lot lower.

Mr. Newman: Mr. Chairman, if I am straying from the original vote, then I wish to be called to order so that I can bring it up at another time.

The Acting Chairman (Mr. Barlow): I will not hesitate to do that.

Mr. Newman: Are we taking the whole—

The Acting Chairman: No. We are trying to stick to vote 502; in general, any topic within vote 502.

Mr. Newman: We have been talking about the disposal of excess properties by the ministry. In the disposal of surplus properties, does the minister have the priority order in which certain groups, such as municipalities, public libraries and other government agencies, may have a first chance at the purchase or transfer of the properties before the ministry puts them up for public tender for the public to purchase these excess properties?

4:10 p.m.

Hon. Mr. Wiseman: I think the honourable member was out at the time. I will just run through it again if members will bear with me. What we do when it is declared surplus is we run it through all the other ministries to see whether they are interested in it for a purpose of which we may not be aware. If they are not, then it goes to the municipalities and they have a chance to buy it at market value. Then we put it up for public auction to the highest bidder or tenderer or whatever. That is the route we follow.

I did say earlier that sometimes we will consider if it is for a special use, but if we do it that way, we write that special use into it. If it is used for anything other than that, at the time they want to change the use, we charge them the market value as of that day and we subtract what they paid us from whatever the market value is; so we do not come out of it with egg on our faces.

Mr. Newman: Does the minister have an information sheet which lists these in order of priority so that an individual or organization wishing to purchase properties would know that A, B, C, D, E and F have the first chance at it, and then if they do not accept it, it may be their turn to make a bid for the property involved?

Hon. Mr. Wiseman: I could give the member a copy of that list, yes.

Mr. Newman: That is what I was interested in, because in my own community we have had individuals who have contacted me concerning the purchase of surplus property. I gave him the right advice then.

One of the items I would like to raise with the minister on this vote concerns a communication regarding the municipal telephone books.

The Acting Chairman: Does that fall under the item we are on?

Hon. Mr. Wiseman: That is fine with me, if the Chairman wants to do it that way. If he agrees to do it, that is fine.

Mr. Newman: There is a time constraint and if someone has something—

The Acting Chairman: I have a few other speakers. Perhaps we could go on with the other speakers and then come back to you for that question.

Mr. Newman: May I carry on, Mr. Chairman?

The Acting Chairman: No. We have other speakers waiting. I think the custom is to allow one line of questioning per speaker.

Mr. Breaugh: Mr. Chairman, I want to ask the minister to give us a little more detail on the Ministry of Revenue building in Oshawa, which is somewhat delayed, and particularly on a couple of other problems that have come to my attention surrounding that move.

Does the minister have, for example, a fairly clear idea now of when the building will be occupied? There seems to be some discrepancy. Some of the ministry people are indicating there may be a break-in period for some of the new

equipment that will go in there. I believe the last time I saw anything about it, most people were talking about February some time. There seemed to be some argument that there would need to be a two- or three-month break-in period before the building could be fully occupied.

I would like to hear the minister's comments about the dispute, which I believe is between the general contractor and the government. The firm that constructed the building is indicating it lost money on its bid, which I believe is somewhere in the neighbourhood of $3 million and change, but that is in dispute.

Could I hear some comments from the minister? Can he clarify the status of that? I am somewhat concerned that he might be facing some legal challenges if the people who built the building feel they are not being dealt with fairly. Is he aware of any attempts they might be making to perhaps hold on to the building to recover some additional moneys from his ministry?

Thirdly, the minister is aware that the city participated in providing a parking facility for the Revenue building. That parking facilitiy is now fully constructed and is at least temporarily in use by the city of Oshawa. It concerns me somewhat that I have not seen anyone clarify who is paying for the structure.

The original agreement, as I understand it, was that essentially the city would construct the parking facility and that it would be relatively self-sustaining because revenue would be generated from the Ministry of Revenue staff who would be using the parking facility.

If we do encounter a rather lengthy delay—and it is conceivable now that we are looking at a delay of three, four or even six months—who carries the cost of that building in the interim? Does the ministry's agreement with the city, the original intent of which was that the ministry would carry the cost of the structure, still hold even though the Ministry of Revenue employees may not be using that facility?

Perhaps the minister could clarify some of those points for me.

Hon. Mr. Wiseman: If I can start with the last one first, Mr. Chairman, we were there about two weeks ago, I believe it was, with the Minister of Revenue (Mr. Ashe), the architect and some other staff. The parking was not brought up at that time. We agreed on everything with the mayor and council, and I think it was voted on, not quite unanimously, but almost.

While I am answering the other part of the honourable member's question, if any of my staff have anything further to add about the parking, taking into consideration the two- or three-month delay, I hope they will give it to me so I can answer more fully.

There was a delay in the building for a number of reasons, one being the plumbers' strike. I know the member will have gone through that building; the mayor had asked to go through it with a group the other day, and we have had groups from all over the world taking a look at it. I am sure the member, dropping in once in a while, knows that it is the most energy-conserving building we have put up to date.

The security systems in there are quite elaborate, but they still keep within the cost. The cost is just a little over $60 a square foot, I understand, taking away the price of the land, which is the same as a lot of the buildings that are not as energy-conserving and do not have the security or surveillance systems we have in there.

All those systems, along with the energy-conservation computer that is in place, have to be tested. Maybe one time the heat would be up to 80 or 90 degrees and the next time it would be way down to where the staff or people in there would be uncomfortable; so we have to make sure they are working before we can move the staff in.

The office part of it is just about complete, other than that. When I was there, the storefront downstairs had a fair bit of work to be done on it. We are going to put false floors in for the tenants, and I believe the ceiling was partly in as well. It looked kind of rough in there, because the carpenters and some of the electricians were using it as a storage place at that time, but I hope we can get them out of there.

Testing of the systems and everything will be done, and we will be ready to move in by the end of January. They will start to move February 1. We have tightened up the move-in period, and I would like to thank the moving staff, because they have really condensed the move-in by about two or three weeks. We are just as anxious as the member and other members in the area are to get them in and get them settled.

4:20 p.m.

In regard to the general contractor, he is suing my then deputy, me and one of my staff; so I will not comment on it other than to say the member knows that I am a reasonable guy and that I am just asking him to do what he said he would do: to give us the building as agreed and to live up to the commitment he signed. That is

all we are asking him to do. Apparently he has a different opinion on that.

If anyone here has information about the garage, if any other agreement was worked out that I am not aware of, if the member will bear with me for a few minutes, or if he has a supplementary on what I have said, I will try to get that for him. Otherwise, I think the agreement is probably as it was worked out with the mayor and the people at that time.

Mr. Breaugh: I am a little concerned about the agreement on the parking garage. My understanding was that essentially the ministry was leasing spaces in the garage; that, in a nutshell, is what the proposal was. It occurs to me that there may be an interim period between the finishing of construction and the time when the ministry staff are actually using the facility, when the city may be carrying a parking facility that is not now open to the public and has no revenue coming in from the ministry because the ministry is not leasing the space and is not using it.

I am wondering about the shortfall that could conceivably occur there. I am trying to get some clarification as to whether we are paying for the spaces whether we use them or not. The difficulty locally is that there is a small controversy around the concept of what to do with this brand-new parking facility, which has nobody parking in it. For the interim period, the city is making use of it while some parking areas just behind city hall are being resurfaced. I would like to know whether we can clarify that.

Without discussing the court procedures that may go against the minister, I would be a bit concerned about what would be normal in this kind of situation, that the ministry would be reluctant to take possession of a building that is not completed. On the other hand, the general contractor may be somewhat reluctant to turn that facility over to the ministry in a legal sense.

Is there a potential there for some legal problems that would mean the minister may be ready to have staff move into that facility at the end of January or the beginning of February but may not be able to get title to it if the contractor chooses to exercise some options in that way?

I would like the minister, if he can, to clarify for me whether he has legal possession of the building as of now, with some work that remains to be done; or could the contractor hold the ministry up for ransom if he is not happy with the amounts paid to him? I believe his argument revolves around some $3.5 million which he says he lost in the process. Is there a possibility that he could prevent the ministry staff from occupying that building?

Hon. Mr. Wiseman: I do not believe so. We are living up to our agreement in the contract. We are willing to pay him as soon as we get these things tested, and we have told him so. He or a representative of his firm has been in a couple of times asking that we pay for these in advance of having the systems done, and we have said no to that. I am not aware of any way that he would even want to hold it up, because I think he wants to get his hands on that money as soon as possible or even sooner.

To clarify the point about the parking, if there are fewer than 149 spaces, we pay the deficit. Perhaps that will cover what the member was talking about. If there are fewer than the 149 we have guaranteed them, then we pick up the deficit. There will be some people there using it from the ministry or our ministry. If the member needs further clarification on that, I will be glad to get it for him. We will pick up the deficit on that.

Mr. Nixon: Mr. Chairman, I would like to ask the minister what his policy is in dealing with counties and regions in the case of county courthouses and regional administrative offices. I lump them together for the following reason.

I understand that in the past the government, through the ministry, has arranged with at least with one county to buy its courthouse, since it is largely used for the administration of justice anyway, and thus provide certain funds for the county, which then either rents back the limited facilities it requires in the courthouse or gets an administrative office elsewhere.

In the case of the county of Brant, which has an extremely fine, historical building, renovated and cleaned off for centennial purposes, on a beautiful park. I know there is some thought that it would be advantageous to all concerned if the Ontario government were to purchase the building, since it is used almost exclusively for administration of justice purposes. The proceeds of the purchase then could be used by the county either to continue using the space in the courthouse it currently has or perhaps to move to another building.

In the case of the county of Brant, there is some thought that the old library building, which is once again a fine architectural masterpiece, may be available, since we hope a new library will be built in the foreseeable future, with the resurgence of good times.

I want to ask the minister what his policy is on that, and then I want to go on to another matter

directly associated with these administrative headquarters.

Hon. Mr. Wiseman: We have been asked by a lot of counties lately to take over their buildings. In a good percentage of them we occupy 80 per cent, and sometimes even a little more, of the total space in those.

As I was telling some of the honourable members a few minutes ago, we have a limited budget in capital to purchase anything like this, but where we do purchase, we pay market value. As the member knows, the market value of a particular property may be worth more to some people than it would if it went out on to the market. We sometimes have a little dispute over what market value is, but we usually have two appraisers and then if we cannot agree, if we have to, we bring in a third.

That is the policy we have, but we have not done too much of that, sometimes because of lack of funds.

Mr. Nixon: How many courthouses has the ministry bought? Just one?

Hon. Mr. Wiseman: Since I have been minister?

Mr. Nixon: No. In all.

Hon. Mr. Wiseman: Perhaps my staff could find that out for me. Since I have been the minister, we have purchased only two over three years.

Mr. Nixon: I gather that the county of Lambton led the way in this program. A number of people in Brant have looked to Lambton county for the kind of leadership in negotiating with the ministry that has been so fruitful for that county. I think they felt, or perhaps still feel, although I would not want to jeopardize their ongoing discussions, that there was some reason why the minister was more interested in buying the Lambton county courthouse than the architectural gem that is sitting in the city of Brantford, waiting for him to pick it up, of course, at a fair and equitable price.

It is true the government of Ontario uses at least 80 per cent of the building. But the minister has to be seen to be treating all the county councils with fairness and equity. It is true the ministry cannot buy them all in one year, but it must be understood that the policy of the government is to acquire these buildings, since it is using them almost exclusively across the province, and not doing something in one part of the province that it is not ready, willing and anxious to do in another part. Perhaps the minister could give me his personal assurance in this regard.

4:30 p.m.

Hon. Mr. Wiseman: Mr. Chairman, just to correct my statement there—I was trying to think back—there are three. I forgot one that was already on the way when I came along; but there have been three. I give the honourable member my assurance that we will look at any proposal that comes along and try to judge it on its own merits. But I was just trying to say that sometimes market value means something different to one person than it does to another. We have built approximately 30 and we have purchased four or five altogether.

Mr. Nixon: To pursue it one more step, if I may, in my opening comment I also said that the administrative headquarters for certain regions must, to some degree, be built in consultation with the ministry and its officials. I am thinking of the one at present under construction in Haldimand-Norfolk. Has an agreement been made with the regional municipality of Haldimand-Norfolk to use some of the property left behind after the erection of the new building, and some of the new building itself to house provincial offices in the region?

Hon. Mr. Wiseman: The staff tell me there is always an understanding between our staff and the county that we discuss back and forth in advance what our plans are, so that one group knows what the other is doing. Since I have been in the ministry, we have had two or three people who have come in to talk to us about the possibility that the county build a new building and what we might occupy in it—whether we can move the courts in or maybe the Ministry of Agriculture and Food, if there is an area office—to help them with their costs. We are always willing to try to do that.

Mr. Nixon: In closing I would just ask the minister if he has consulted with his colleague the Minister of Municipal Affairs and Housing (Mr. Bennett) about the Haldimand-Norfolk situation. The building of the new administrative centre appears to be more or less an arm designed for the completion of provincial policy in the establishment of a new town in Haldimand-Norfolk. The minister may recall my talking about this in the Legislature on a number of occasions, but the new town is, to be frank, a complete flop at this stage.

The taxpayers of Ontario sank $60 million into it, and it really is a grand location with beautiful buildings and roads and street lights

and tennis courts. Everything is there except people. But in order to make it fly, so to speak, the Minister of Municipal Affairs and Housing has persuaded the local council to build a new regional headquarters at a cost of about $2.6 million to begin with and, of course, there will be ancilliary additions.

As I understood it, the government of Ontario is providing the land free. It is not your land, it is probably some other emanation, although my own feeling is that Government Services ought to have control of all land and all the decisions should be under this ministry and not fragmented into a number of different parcels. I feel that very strongly.

The land is being provided free and the plans were provided free. It so happens the council did not accept the plans, but they were provided free. I understood the government had undertaken to say to the regional municipality that, as it left its old premises scattered out in the towns that have been established for over a century and went to this new, pristine location, the government would undertake to rent those offices. I would think that would have to be done through you people. Also, it would undertake to provide certain offices in the new building, paying a top dollar figure for rent, to ease the pain of the buildings even more than it had been eased already.

Incidentally, the Ontario Land Corp., which is the developer of record, is also providing all the up-front money at 11 per cent. That looks good, even today; but you can imagine how good it looked back in the old 20 per cent days when the decision was made. I just say to the minister that in his position, he must be careful that he is not bypassed by his more aggressive colleagues who are moving into the area which should be his responsibility. At the same time, he must be careful he is not persuaded by his colleagues to enter into certain agreements which are not in the best interests of the taxpayers as a whole but which commit many millions of public dollars in justification of a policy which has long since been discredited and seen to be wasteful.

To the same extent, I would warn the minister about the policy of purchasing courthouses. Before he was minister, the now Provincial Secretary for Resources Development, the member for Lambton (Mr. Henderson), had even more influence with his cabinet colleagues than he has now, if you can imagine. He was the person who had this great visionary breakthrough that the province should buy courthouses; maybe selected courthouses. In other words, for a transference of a nice chunk of money to the county, the title deed, if such there is of a courthouse, is transferred to the province and everything goes on the way it was before. So the electors of Lambton or some other specially designated area get a great bundle of money dropped into their treasury by Santa Claus and give up nothing in return.

If you are going to start doing that you are going to have to do it everywhere. I tell the minister he will have to do it everywhere or we are going to have some goings-on around here. When I see these things developing over the years, it amazes me what you birds get away with.

But I have great confidence in the minister. I have known him for a long time, and there is no way that he is going to do anything he does not think is correct. I simply warn him to look out for his colleagues because they may try to make a fool of him.

Hon. Mr. Wiseman: Mr. Chairman, I want to thank the honourable member for his advice. I understand there are one or two ministries that are looking at space in that complex with a view to purchase, but at this point I cannot say who they are. I understand it is before Management Board of Cabinet. I accept the honourable member's advice. I only say again that we will try to treat every county that comes in to talk to us in an upright way and do what we can with the moneys we have available.

Mr. Philip: Mr. Chairman, I had some supplementaries to some of the questions that the member for Oshawa (Mr. Breaugh) was asking, if I may ask those now.

As the minister will know, I have been concerned about what happens to a subcontractor when there is a hold-back to a developer. The minister will be aware of a particular case that I brought to his attention of one subcontractor—what was really a small businessman, a company worth perhaps a couple of million dollars, but small compared to the major developer—who was not paid as a result of the government holding back on what they considered to be unsatisfactory work by the major developer.

In these times of Trudeau-Reagan high-interest economic policies, many of these people simply cannot stay in business if they are expected to carry the government—or indeed the work they have done for a contractor who has worked for the government—on their financial books for three months, or six months, while the govern-

ment is legitimately trying to get the service the taxpayers have paid for. I am wondering if the minister has thought of any way in which he can get around that problem of paying off some of the subcontractors in cases where their work has been satisfactory but where the major contractor obviously has not fulfilled all of his obligations.

4:40 p.m.

Hon. Mr. Wiseman: Mr. Chairman, in this particular case and in the Oshawa one, the contractor is responsible for paying the subs, and at the end of the contract the way it is written we are to turn over a set amount of money agreed upon the day we signed the contract. As soon as he finishes the testing of these systems, as I mentioned to the member for Oshawa—and I believe there may be one or two other areas—we are prepared to turn that over. To my knowledge at this time there are no major problems with subs; there may be, but I am not aware right now that subs are hurting as a result of this.

Mr. Philip: Mr. Chairman, the minister surely has made the very point I am making, namely, that it is the subcontractors who often end up being punished through no fault of their own for the problems of the initial contractor.

The case I brought to his attention, which was not the Oshawa one, I have in my file upstairs. I am sure the minister will recall it because I sat down with him personally and said, "Look, these people are not going to meet payroll and they are going to go into bankruptcy unless you do something to see that they get paid." It is not their work that the ministry is dissatisfied with but work that was done by the major contractor or by other subcontractors for him.

The main point is, though, that many of these small subcontractors simply cannot wait it out until you fellows have your day in court or your holdback for whatever length of time with the major contractor.

Is there not some way in which, when you see that small businessmen are hurting like this, you can break the contract or have an arrangement whereby you can advance some of the money to the subcontractor, because it is no fault of his that the major contractor is defaulting on his agreement.

Hon. Mr. Wiseman: Mr. Chairman, I suppose there are a lot of different ways of designing contracts. But under this particular contract the person got the money, had the money there; and since the architect on the job and the others verified that such and such an amount of work was done, it was released from the people we had the money from. It is a little different, I suppose, with some of the contracts we have.

But right now, with the present conditions, an awful lot of contractors are having difficulties, as are the subs; and I think we all have to watch that when the contractor or the architect on whatever job it is—I am talking generally now—has a problem, the subcontractors know right away that he has this.

I think back to one situation in the north in which we actually worked along to clear off those subs; and some of the members in the Legislature had written to me about it, some from the London area for rugs and so on. We went in and actually bought the building even though we had a lease-purchase to clear them off.

But these days we all have to be very careful. I think subs have a responsibility to look at the soundness of the general contractor, because we do not have enough money to bail out everybody who goes into these sorts of arrangements. We are just as sympathetic as the honourable member is, but I think you just have to be a better businessman in these days of hard times we are having.

Mr. Philip: What I hear the minister saying is so preposterous that I find it hard to believe even he can try to get us to believe it. He is saying that some poor, small subcontractor should be smarter than the government is in picking the main general contractor who is not going to default.

If you guys with all of your expertise and all of the staff you have over there cannot figure out that a main contractor is going to default, then how can the subcontractors figure it out? In a time of shortage of work, subcontractors probably will take a contract from anyone, because they are desperate for work.

I find it hard to believe that you cannot work out a contract with the major contractor that would guarantee a system whereby you could pay off the subcontractors who are not involved in the faulty workmanship, or whatever it is that you are holding back for, in those instances where you happen to be stung by a major contractor who is not performing up to specifications. Surely the little guy with the dump truck and the four or five employees should not suffer because you have hired a contractor who is incompetent or is not delivering.

Hon. Mr. Wiseman: Let us see what we are talking about now. Are we talking in general, or

are we talking about the particular case the member for Oshawa was speaking of? If we are talking about the one in Oshawa, that was a different kind of arrangement. We guaranteed to pay him at the completion of the project a given amount of dollars, and no progress payments. He was to supply his money up front and look after that himself, which I understand he has done.

There is another kind of contract in which we do give progress payments from our ministry. But the one in Oshawa is a different type. He is to put up the building as described and laid out in the architectural plans for a certain amount of dollars; and on the day it is completed and the systems are working, he gets his dollars. In between, he arranges financing. Normally, we make progress payments and have mechanics' liens to help cover situations such as the honourable member has mentioned.

As I mentioned, there was one in the north where the mechanics' liens, etc., did not cover everything. A lease was to be purchased and we went in and did something that usually a contractor or person getting a building would not have done. We bought the building. I think it is going to be a good buy in the long run. But we did so in order that we might pay off the small subcontractors who came as a group to see me. They are now happy.

I mentioned that members in the Legislature had written me, one of the members from London and others from eastern Ontario, about rugs and other goods which had not been paid for. They were pleased with the way Government Services handled the situation so that the suppliers received their money.

Mr. Philip: The minister will recall that in the case I brought to his attention—which was not the case in Oshawa—the subcontractor was put in terrible financial jeopardy. Borrowing money at 18 per cent can put you under if you do not get paid by the government.

The question I am simply asking of the minister is: Why can he not arrange all of his contracts in such a way that the subcontractors, provided they are not involved in the faulty workmanship, are paid in those cases where the contractor defaults, rather than having their payment held back, as happened in the specific example I gave to him? Was the minister punishing the subcontractors along with the contractors?

Hon. Mr. Wiseman: My staff tell me that we do exactly what the industry does in cases like this. Not on the one we were talking about, but under normal conditions there are progress payments. I would think that where payments were authorized to that point, the subcontractor should ensure that he gets payment for his work. But we follow the same practice adopted by all other contractors or people erecting buildings.

I was trying to give you an example of where we went beyond what they have done to help this particular case out. We try to be as fair as we can, but these days, as I have said, there are an awful lot of people out there who have to be a little more businesslike too, and the general contractors they go with must be strong contractors.

4:50 p.m.

In Government Services we have to take the lowest bidder in every case, provided the person has done a pretty good job. If we were doing a building for ourselves and we knew John Doe was one of the subcontractors on another and had never had any problems, had done this, that and the next thing, we could do that. But when we are spending government money, unless we have a good reason not to, we have to take the lowest tender. Maybe one general contractor is not as good as another, one or two up the line, who is a little more expensive.

Mr. Haggerty: Mr. Chairman, I want to address myself to vote 501, item 10: Ministers without Portfolio. In a two-year period that item has increased 75 or 80 per cent. That is perhaps where the salaries of the ministers would be almost 100 per cent of the estimate. The salary is $24,500. Can you give me some explanation why that figure should increase to $523,000 for two members of the Ontario Legislature? What did they do to spend that amount of money around here? What is the reasoning? Can it be justified? Let me put it that way.

Hon. Mr. Wiseman: Mr. Chairman, I felt when I was Minister without Portfolio I earned that extra money and never had a shaky hand receiving it at the end of the month or whenever I got my pay. There were three Ministers without Portfolio when that was put through. We went from two to three.

Mr. Haggerty: And the parliamentary assistant too?

Hon. Mr. Wiseman: And my parliamentary assistant, yes. As you know, last Friday my parliamentary assistant was busy working on my behalf opening our new agricultural college in Alfred. He is always available, is willing and able to help me whenever he can. I find my parliamentary assistant does a really good job repre-

senting our ministry whenever I am unable to go. I working on my behalf opening our new agricultural college in Alfred. He is always available, is willing and able to help me whenever he can. I find my parliamentary assistant does a really good job representing our ministry whenever I am unable to go. I am sure the honourable members know that is bound to happen sometimes. I am pleased to have him on staff.

Mr. Haggerty: Why the $523,000 expenditure? That is the point I am trying to convey to you. Can you justify that expenditure for three members of the Ontario Legislature?

Hon. Mr. Wiseman: Mr. Chairman, as we all know, we have staff added in there to run an office. We are running three offices and it does cost money.

I am always surprised when every year the Board of Internal Economy tells me how much it costs me to run my riding office. I think I try to do it in an efficient way, but I am really surprised; when it is all added up, it comes to a fair bit of money.

We had estimated for 12 staff, which we now have reduced to eight because of constraints. There was money for 12 staff. We reduced the number to eight.

The Ministers without Portfolio do a lot. My colleague the deputy House leader performs a lot of duties on the Board of Internal Economy, on the legislation committee and as deputy House leader. I forget a lot of the duties, but they are kept quite busy and I think earn every cent they make.

Mr. Haggerty: I find it rather difficult to justify that heavy expenditure when we are talking about restraint. The minister said he had reduced the staff to a certain number. How many vehicles are there? Do they share vehicles or are there three separate vehicles, four now with one for the parliamentary assistant?

Hon. Mr. Wiseman: No. The members will be interested to know we will be reducing that budget by approximately $100,000 by cutting the staff and so on. Each Minister without Portfolio is entitled to a car but my parliamentary assistant does not have a car. No parliamentary assistant has a car, to my knowledge. They may have the use of a car when on government business but not—

Mr. Haggerty: They walk, as members of the opposition do, do they? That is great. If I can grasp this issue, I cannot see that you can really justify that expenditure by the Ministers without Portfolio. That is an area you should be cutting back on.

Hon. Mr. Wiseman: The member will be pleased to know we have had to find some constraints throughout our ministry. This is one area where we are cutting back on actual people and saving about $100,000 off the figure in the estimates.

Mr. Philip: It is interesting to note that, if we look at all the votes in these estimates, at the actual compared to the estimates in 1980-81, with the exception of one item the estimates were all overestimated.

One of the interesting items is the tremendous growth of the main office. The actual in 1980-81 was $497,305 compared to the estimate of $545,800. The 1981-82 estimate was $786,900. Then for 1982-83 it is $946,600, which is a dramatic increase over a short period of time. I wonder if the minister can give some explanation for that.

Mr. Chairman: The question is, there seems to be a dramatic increase.

Mr. Philips: This is a two-part question. The minister seems to have a bad record of estimating. He overestimates on every item except one.

The second question is that, in looking at all those figures, the most dramatic increase I could find was in the main office expenditures. I wonder if the minister has an explanation for his poor record in estimating. I suppose it is the old story that it is always better to ask for more money and that saves him from coming back for supplementary estimates. There has been a constant pattern of overestimating.

Therefore, the second question is, why has the main office expenditure grown so dramatically compared to other expenditures?

Hon. Mr. Wiseman: Perhaps I can run over some of the items that make up the majority of the increases in the main office expenditure. The revision of salaries relating to wages and employee benefits amounts to to $70,000 approximately. The allowance for inflation is $23,800.

Another one is to allow for the review of administrative procedures in the ministry; it was $38,900. The secretarial support for my parliamentary assistant was another one. There is a small increase of $2,300 in the minister's salary, and an increase in the parliamentary assistant's salary during that year. This totalled $169,200. Those figures make up the bulk of the main office increase.

5 p.m.

Mr. Philip: That really does not answer my question of why the main office has grown disproportionately to other offices under this ministry.

The minister also mentioned the secretarial assistance to the parliamentary assistant to the minister. Could the minister tell us what his parliamentary assistant does in a ministry this small? What does a secretary to a parliamentary assistant do? Is he or she a full-time secretary? Does he or she go out and cut his ribbons for him? What is it the parliamentary assistant is doing?

I know we see parliamentary assistants, such as the member for Wilson Heights (Mr. Rotenberg) who seems to be here more often than the minister, handling the legislation, but I have not seen your parliamentary assistant in action. The minister has always been the one who has been doing anything that I have seen connected with his ministry.

Mr. Hodgson: The member will have to come up to my riding and see me in action.

Mr. Philip: The parliamentary assistant is not being paid for doing it in his riding. I get a salary for taking care of my riding but I do not get a parliamentary assistant's salary for doing it.

Mr. Hodgson: You do not get paid for looking after my riding either. I hope not.

Mr. Philip: As usual, the parliamentary assistant does not understand what he is talking about, or about his ministry, but maybe the minister can answer the question.

Hon. Mr. Wiseman: Mr. Chairman, I thought I had mentioned this to the member for Erie, when he mentioned my parliamentary assistant and the Ministers without Portfolio. I did not want to take the rest of the afternoon to cover that, ahead of other questions the members might have for me, but there is no doubt I could, and I probably would forget some.

As I mentioned to the member for Erie, and I thought the member for Etobicoke was in the House at the time, my parliamentary assistant does a lot of things for me. For instance, I had already booked with the Minister of Agriculture and Food (Mr. Timbrell) to open our new agricultural college. I called on my parliamentary assistant to take my place on Friday and he went very ably so I could be here for the estimates. This has happened many times.

In the Ministry of Government Services we have a lot of openings, a lot of sod turnings and things like that, and the member can and does take my place. Many of those, I should say, work into his weekends. As ministers, we expect that to happen but from time to time it happens to parliamentary assistants.

I am sure my parliamentary assistant got home much later on the weekend than most of us in the Legislature because he was doing a particular job. I can think of times when he has gone up north. The member for Sudbury (Mr. Gordon) will be happy to hear that he has been to Moosonee on my behalf when I was unable to go. I am sure he realizes, as do some of the other northern members, how long it takes to get there.

The parliamentary assistant has done that. He knows that sometimes the weather can fog in so one loses two days. He does things like this; he does them very easily and without any pressure at all. As I said, I am very pleased he is with me to assist me so I can be here in the House to answer any questions the members might have rather than be on the road all the time. It gives me a chance to be here to look after day-to-day operations, and my colleague can be out doing some of those jobs for me.

Mr. Chairman: The member for Haldimand-Norfolk.

Mr. Philip: Well, the minister makes it sound as though—

Mr. Chairman: Order. Are we on the same topic?

Mr. Philip: Supplementary to the—

Mr. Chairman: Well, we would like to give a chance to the member for Haldimand-Norfolk next.

Mr. Philip: If I may just ask my supplementary and then—

Mr. Chairman: I am saying yes, and then the member for Haldimand-Norfolk.

Mr. Philip: It sounds as though the parliamentary assistant is so active that he has probably been issued his own shovel. I am asking why he needs a special secretary in order to do a sod turning. You would not really need a secretary assigned to sod-turning ceremonies, and I am wondering what this secretary does. Is it just a way of giving that MPP an extra staff person, or is that secretary involved in work for your ministry?

Hon. Mr. Wiseman: A bit of both, but she does not go out on the sod turnings with the honourable member, and I hope I did not give any indication that she does. I am sure that on occasion she would be welcome, but she does not do that. She does some ministry work and

some work for the honourable member so he can be kept up to date with everything that goes on.

Mr. G. I. Miller: Mr. Chairman, I have a question about the White Oaks property, which consists of approximately 50 acres and 40 homes which you say are not being utilized now and have not been utilized extensively for the last couple of years. What plans does the ministry have for those? They have good access to water now from the new central water treatment plant. There is a lagoon there to service the area and a heating plant that has not been in for all that long. The final thing that makes the site of some value is a swimming pool and a recreation area that are not going to be utilized, and I wonder what plans the ministry may have for that property.

Hon. Mr. Wiseman: Mr. Chairman, I have not seen these buildings myself, but I understand they were put up during the Second World War. They were temporary buildings, and I understand from the staff that it would cost much more to bring them up to standard than perhaps they are worth. The Ministry of Community and Social Services has declared these buildings surplus and has decided not to spend any more money on them; so we will have to declare the property surplus, and perhaps in the near future it will be up for sale.

Mr. G. I. Miller: Will the local municipalities be given first chance? It may be true that some of them were wartime buildings, but many of the houses are being upgraded and do have good heating systems; they are on paved roads and have good foundations. We have had some requests from people who are utilizing them now who would like to rent them on a long-term basis, and it just seems such a waste that 40 homes that are in good condition and can be put to use by people who cannot afford the top level of housing are not going to be utilized.

Hon. Mr. Wiseman: I understand we are trying to have the municipality take over the water and sewerage. Perhaps you were not here earlier this afternoon. If you will bear with me again, I will run through the procedure. Any time they become surplus, in this case—or do you know that?

Mr. G. I. Miller: Yes.

Hon. Mr. Wiseman: The municipality will have first choice if no other ministries are interested in that property. The municipality could make a presentation to us at that time and we will investigate that further to see if they are interested in taking it over at a price.

5:10 p.m.

Mr. G. I. Miller: I would like to ask the minister about the announcement the Minister of Municipal Affairs and Housing made in regard to South Cayuga. I believe that land is under the jurisdiction of your ministry at the present time. What plans do you have for it? Will it be used like Edwardsburgh which I think was turned over to the Minister of Natural Resources (Mr. Pope)?

Will it be possible to turn the land over to the Minister of Agriculture and Food for his direction so it can be maintained as agricultural land? As the government well knows, that is good agricultural land. Will the government give consideration to utilizing part of it for experimental use so other agriculture can learn and benefit from that type of use in that area?

Hon. Mr. Wiseman: I believe I should respond more fully to your question at another time. We are holding some of that in a housekeeping type of arrangement. We are leasing it back to farmers in the area. That is similar to what we do in most areas. As you know, being a farmer yourself, they are able to increase their production and, it is hoped, make a few extra dollars. When a decision is made other than that, I would be glad to keep it in mind and let the member know what we intend to do. I am sure you would agree that leasing it back to farmers in the area is putting it to good use at this time.

Mr. G. I. Miller: I have a final question for the minister. Will the local municipalities be given an opportunity to have input as to the direction it may go and will that be given consideration?

We are speaking not only of South Cayuga but also of Pickering. There may even be a portion of the Townsend property which it is not planned to utilize as a city. Maybe that land should be given direction under the local municipality. Will they have an opportunity to have input in that decision?

Hon. Mr. Wiseman: I will discuss your suggestion with my colleague the Minister of Municipal Affairs and Housing because I believe he would be taking an active role in this and anything that might be done with it.

If he is listening, the member for Erie asked me a question about the telephone lines on Friday and I do not think I answered it properly. We have about 400 inner-city lines to different areas. As to the one you were particularly concerned with, just looking at the place you

mentioned, there now is a direct line in from St. Catharines—

Mr. Haggerty: That government line into the city of Welland takes in part of the exchange at Port Colborne, but it does not go into the Fort Erie area or parts of Wainfleet. I have to share that with my colleague the member for Welland-Thorold (Mr. Swart).

Hon. Mr. Wiseman: Are you near Wellandport? Is Wellandport the place where you are interested in getting a phone directly in?

Mr. Haggerty: No. It was into the town of Fort Erie. It does not go into the exchange there. It only goes into part of it and that is Stevensville.

Hon. Mr. Wiseman: Perhaps I will have to get that. My staff misunderstood the name of the place you wanted it directly in. Just so you will know, we have approximately 400 lines at the present time. We keep trying to update these as there is a demand for more. The cutoff point we try to have is about 900 calls per month using the line, which makes it a candidate for a direct line.

I guess our staff picked up the wrong name, but we will check that out and let the honourable member know where it stands and approximately how many calls are coming in at the present time if we have some way of monitoring those.

Mr. Haggerty: The reason I raised the point is the example of my colleague from Haldimand-Norfolk. We both have parts of our ridings that go into the Dunnville phone exchange. We do not have a government wide area telephone service line or service unless it is a long-distance cost to us. The costs show up on the member's allowance throughout the year, saying you spent so many dollars on long-distance phone calls.

You could give a WATS line directly to all the constituents, just as you allow them to call in now. Every citizen has the right now to call in to the different ministries to get some response. All I am suggesting is that it should work the other way around so the members would have direct calling to their constituents from Queen's Park and I think it would speed up some of the inquiries.

A question I asked you in the opening comments was what additional staff do you have to answer the phone calls for all the government agencies? I imagine it takes quite a few telephone operators to handle 100 million phone calls throughout the year.

Hon. Mr. Wiseman: If I could start with the last one first, my staff tell me that because we are now able to direct callers to the right place with the first call and eliminate those three or four calls that we had in the past, we are doing that without additional staff.

I sympathize with the member. For a long time in my riding just one municipality, and that was Smiths Falls, had a direct line to Toronto and now there are two. I have four municipalities and a lot of outlying areas and they can't phone Toronto without a long-distance call or, if I am there, I can't phone here.

One thing the Board of Internal Economy has done for us all, and some of the city members I suppose wouldn't appreciate it as we in the rural ridings do, is that anybody in the rural ridings now can phone the constituency office on a Zenith number. This has increased our calls considerably but I think it lets us do a better job as members when constituents can get to us by phone without paying the cost.

The member for Windsor-Walkerville (Mr. Newman) asked me one day in the House, or somewhere, about phoning in and being able to get through. We have cleared that up. I would ask the members that when they give their identification number, if they would give their riding, the operator will put them through right away. If it is the wife calling or someone from home phoning with a message to the member, if the person says "the member for So-and-so" and gives the number, he or she will have no trouble at all. I hope the member has found that to be helpful. They have been asked to do that for all members.

Ms. Bryden: Mr. Chairman, when the minister was making his reply to the leadoff, he mentioned his affirmative action program in the ministry and said his ministry was regarded among the good guys. Certainly, his ministry should be congratulated on the fact that it has now established an apprenticeship program in the trades for women and is presumably helping women to get into nontraditional occupations which are among the better-paid occupations.

But the women crown employees office report for 1980-81, which is the latest we have available, says that with regard to this apprenticeship program up to March 31, 1981, only one woman had been accepted into the program and that was in the electrical trades. Have any more been accepted since then? If so, how many?

5:20 p.m.

Hon. Mr. Wiseman: Mr. Chairman, I want to correct the record, because I want to be completely honest with everybody here. I made a

statement about our affirmative action group and how good we were; I still maintain we are good, but I misinterpreted the information that was given to me. I said that we had increased from 27 per cent to 32 per cent in one year, whereas that increase was between 1977 and this year. Last year the figure was 31 per cent. It was not just a year-over-year increase, as I think I may have indicated. I wanted to correct the record on that.

I think we are doing very well in affirmative action. Currently, we have 888 women on staff. We have had a reorganization within the ministry, and if the member will look at my support staff, she will see that some of the key players are ladies. So we have taken the ladies into consideration; besides that, they were well qualified for the jobs. We continue to move in that direction.

I do not think the member was in the House on Friday, at which time I mentioned that when I sat on Management Board of Cabinet, the affirmative action ladies came before us and said the Ministry of Government Services was one of the better ministries in the area of affirmative action. I use that as evidence that we are showing improvement every year.

Ms. Bryden: I was going to point out, as my second question, that discrepancy in the increase from 27 per cent to 32 per cent. It has actually gone up by one per cent a year, which is progress but rather slow progress.

The minister did not answer my question regarding how many have gone into the apprenticeship program for skilled trades which he has announced as part of his ministry's program. As I said, the report for 1980-81 shows that one person has gone into that program.

Hon. Mr. Wiseman: Perhaps the member has some other questions to ask while staff look up that information, which I do not have at my fingertips. That will give the staff a little while to research that and come up with a number.

Ms. Bryden: I do have one or two other questions. Women's wages as a percentage of men's wages for the ministry are still below the overall percentage for the Ontario public service, which is 72 per cent. This still leaves a 28-point gap between what women and men make in the Ontario public service. Presumably the affirmative action program is aimed at overcoming this.

However, in the Ministry of Government Services, women's wages as a percentage of men's actually have slipped in the last year for which we have a report. It was 70.6 per cent in 1979-80, and went down to 69.8 per cent in 1980-81. It appears the ministry is going backwards in trying to close the gap between men's and women's wages. Has he any evidence that the trend is changing for the current year, for which we do not have statistics?

Hon. Mr. Wiseman: I will study this a little more closely and take the member's comments under advisement. I hope that in next year's estimates we will be able to improve on that.

Mr. Philip: On a point of order, Mr. Chairman: Surely the minister can respond before the estimates next year. Some valid points have been made by my colleague, and we would expect an answer—if not in these estimates, because there are only a few minutes left, at least a written answer to the member.

Hon. Mr. Wiseman: I will be glad to do that, Mr. Chairman.

Ms. Bryden: Can the minister also indicate to us whether the resources available for the affirmative action program have been increased this year over last year? The 1980-81 report shows that the resources provided for the affirmative action program in that year were $74,900 direct and $10,900 indirect. To me this seems rather a pittance to overcome what is close to a 30 per cent wage gap and to move women into higher-paying jobs. I wonder whether more money has been allocated to this very important program for this year.

Hon. Mr. Wiseman: The member will be pleased to hear that in 1982-83 the estimates have been increased in that vote. Just under $150,000 is allocated to that area of my ministry.

Ms. Bryden: That is very good news.

One final question: I noticed that in terms of applicants for vacancies in the ministry in 1980-81, 13.5 per cent of the total applicants were women but only 12.4 per cent got appointments. Does that indicate there is a definite effort to move more women into the ministry and get beyond that 32 per cent of the total staff the ministry now has?

Hon. Mr. Wiseman: Yes, that is correct.

Mr. Newman: Mr. Chairman, I want to raise an issue that has been bothering me for quite a few years, ever since the blue pages started appearing in telephone books. I assume the Ministry of Government Services provides Bell Canada with the various government telephone numbers. Is that correct?

Hon. Mr. Wiseman: If the honourable member can go on with another question, I will find that out.

Mr. Newman: This is on exactly the same thing. The small type used in the blue pages of the telephone book is too difficult for senior citizens to be able to read. The purpose of the blue pages in the telephone book is to assist individuals to communicate directly with various ministries of the government here in Toronto. I assume those blue pages are in all the major cities and probably some of the smaller municipalities, listing the various ministries. If I am incorrect, and the ministry does not provide them, then I suggest that whoever does provide them could make changes that would assist in the attempt to allow communication between constituents and government offices.

In the first place, the type is too small; it cannot be read. In the second place, it is confusing with the federal telephone numbers in there. Possibly there could be a different colour of ink or a different colour of page for the federal listing, so the individual would know exactly whether he is to contact a federal government department or a provincial government ministry. There are no cross-references for the reader. If he wants to get the Ministry of Health, he cannot find it; he has to look under OHIP or something else. There are a lot of other little things.

I do not want to take up the time of the House, but I ask the minister's officials, if they are responsible for that—if not, then I hope the minister will relay it to the minister who is responsible for it—to help the citizens to be able to communicate with the proper government ministry here in Toronto, especially those from my own area who would like to talk directly to an individual when they have problems to resolve. We are willing to act as go-betweens for the constituents, but a lot of times the constituents would prefer to talk directly with an individual in the ministry in an attempt to resolve a problem.

May I have the minister's comments?

5:30 p.m.

Hon. Mr. Wiseman: I appreciate what the member is saying. We have come a long way and we have a lot of comments on it. We have to work out many of the things—the print and one thing and another. We co-ordinate the whole thing with Bell. We are trying to improve it all the time, and we will be dealing with many of the suggestions the member has made. We do appreciate his letting us know what his people are finding, because that is what our ministry is all about. We are a service ministry, and we are trying to do the best job we can for all the ministries, the members and the people of Ontario.

We do appreciate, as I said when we first started, that in our estimates we are open to suggestions. We do not think we have the answers to everything or all the good ideas. We look forward to getting some from the member and others. We will certainly look at what he has said.

Mr. Philip: Mr. Chairman, I think the member for Windsor-Walkerville makes a good point about the colour. It seems to me preposterous that we have municipal, provincial and federal all in the same colour. Surely a colour scheme could be used. If we are going to have blue pages, why not have one colour for the province and a different colour for the municipalities so that people would understand the provincial government is such-and-such a colour and know where to look?

The other point is, was Bell instructed to remove the riding office numbers from the white pages number when it implemented the blue pages? For a couple of years now, we have been trying to tell Bell it is fine to list our riding office in the blue pages, but we also want it listed in the white pages.

Was that a conscious decision by the Ministry of Government Services? If it was, I suggest it was the wrong decision. People look up the member's name. They look up "Mr. Wiseman," and not the provincial government listings, when they want to call their MPP. Maybe the minister can get through to Bell, because after three or four calls every year they still cannot seem to print my riding office in the white pages as well as in the blue pages. Maybe some other members have had the same problem.

Hon. Mr. Wiseman: I will take the last question first. It was Bell's doing. We have had some discussions with them as well. We will continue to have discussions with them, as we do on a regular basis on different things, but we have already told them our feelings on that.

As far as the colour is concerned, I understand this is the colour that is used right across North America. It is used in New York and other places. It seems to me—and I could be wrong, because one covers so many areas in a ministry such as this one—that there was something about the cost of the paper being better that way than with some of the other colours

and so on. It is the colour they are using right across North America, and I suppose there are savings there. As the member for Erie was telling us, we should be making savings for Bell by buying one colour for everyone.

Mr. Newman: While we are talking about telephone books, I have another suggestion for the minister. In the state of California, the telephone company has appended to the telephone book what is called a survival guide. There are various emergency numbers for an individual to call for miscellaneous reasons. Included in that are first-aid suggestions for various types of illness, accidents and so forth that an individual may be confronted with.

I have asked Bell for about three years now to consider implementing that, and I get nowhere with it. I thought I might send over a copy of that book to the minister, and maybe he could have Bell co-operate with him so that everyone would have a copy in his home. Normally one woulday people would have Bibles, but it is not so today; however, they do have telephone books, and in case you wanted some type of first aid, you have the book right there all the time, you turn to the pages and it may be, though it will not necessarily be, of some help.

The Acting Chairman (Mr. Barlow): I wish to advise members that our time has now expired, and under standing order 46(d) we must put the balance of the questions.

Mr. Philip: Mr. Chairman, the minister was having his staff look up an answer for the member for Beaches-Woodbine. I wonder whether you could at least let the minister give that answer.

The Acting Chairman: No, I am sorry. The time has expired, and the answer can be forthcoming at a later time.

Hon. Mr. Wiseman: It would take only a minute, Mr. Chairman.

The Acting Chairman: Do you have the answer handy? Quickly then.

Hon. Mr. Wiseman: The member for Beaches-Woodbine mentioned that there was just one; I think there have been three. I realize improvement is probably still needed in this area, but it is a little better than what the member had mentioned.

For the member who mentioned the emergency numbers, I point out that we have incorporated the 911 emergency number. We are working all the time to improve our services there, and we will take a look at the member's suggestion there as well.

The Acting Chairman: All right. Let us proceed with the voting.

Mr. Haggerty: Can I ask a question?

The Acting Chairman: I am sorry. There is no time for questions. Our time has expired.

Mr. Haggerty: We still have 22 minutes yet.

The Acting Chairman: No, I am sorry. According to the clock on the table, the time expired about three minutes ago.

Vote 501 agreed to

Votes 502 through 506, inclusive, agreed to.

On motion by Hon. Mr. Wells, the committee of supply reported certain resolutions.

The House adjourned at 5:38 p.m.

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UNIVERSITY OF TORONTO

Second Session, Thirty-Second Parliament
Tuesday, October 26, 1982
Afternoon Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Tuesday, October 26, 1982

The House met at 2 p.m.

Prayers.

MINISTERIAL APPEARANCES AT COMMITTEES

Mr. Speaker: Before proceeding, I would like to remind the members that on Thursday last the member for Hamilton East (Mr. Mackenzie) requested me to make a ruling on rulings made by the chairman of the standing committee on administration of justice.

I must point out once more, with all the emphasis possible, that there is no procedure by which the rulings of committee chairmen may be appealed to the Speaker. To put it very bluntly, the Speaker has no authority to second-guess the chairmen of the various committees.

This not only has been clearly indicated many times by former Speakers and by myself, but I refer members to May's Parliamentary Practice, 19th edition, which states clearly at the top of page 621, "Following the principle which governs procedure in committees of the whole House, no appeal can be made to the Speaker regarding the decisions and rulings of the chairman of a standing committee."

This statement is based on a number of precedents recorded in parliamentary debates over a period of many years. I state once more that an appeal from the ruling of a committee chairman must be made to the committee, just as in the House an appeal from the Speaker's ruling is to the House.

The member for St. Catharines (Mr. Bradley) makes the rather unique suggestion that the rule worked well when the minority situation existed in the House because they could then overrule the chairman, but that it does not work so well with a majority House. I must point out it has worked well in majority Houses for well over 100 years.

The member for St. Catharines also makes some reference to my alleged persuasive powers in dealing with committee chairmen, and the member for Riverdale (Mr. Renwick) makes the suggestion that I must instruct the chairmen. These remarks seem to suggest that there is a procedure whereby I instruct and direct the actions of the committee chairmen. I assure you that that is not the case.

As has been so often said, each committee conducts its own business within whatever committee it may be, just as the House does within the House, and it is only when a report on a matter within the committee's terms of reference, properly passed by that committee, is presented to the House by the chairman thereof that the contents of that report may be debated and dealt with by the House.

Mr. Martel: Mr. Speaker, might I ask for your assistance? The area of concern is that chairmen are making rulings contrary to the rules that apply in the House. While I agree with you that the Speaker cannot arbitrarily interfere, surely the onus is on chairmen who are selected to chair those committees, to apply the rules in committee in the same manner as they are applied in the House. The same set of rules should apply in both places.

When committee chairmen make arbitrary rulings and one asks them what rule is being violated or why they are ruling it out of order, they simply say, "I have a majority," or, "I am rewriting the rules." That cannot be tolerated.

Maybe it is time to reinstitute the panel of chairmen, which was recommended in 1976, so that chairmen learn the rules and apply them with some consistency, because we are going to have that problem forever if chairmen do not use the rules that apply in here.

Chairmen simply cannot rewrite the rules and then call on a majority to substantiate the ruling they have made; there must be some sense to what goes on in committee. Now, even procedural motions are ruled out for no rhyme or reason. Surely the procedure to follow is for the committee itself to oppose the motion, to vote on it and turn the motion down; not to have some arbitrary ruling by a chairman which has no relevance and which does not conform to any set of rules that applies. But that, in fact, is what is happening.

If they want to use numbers to defeat the motion, that is quite all right; that is part of the system. But it is the arbitrary rulings that do not conform to the rules which have to be looked at.

I suggest that the panel of chairmen be reinstituted immediately, and that these chairmen learn the rules as they apply in the Legislature and not play some new game out there.

Mr. Nixon: Mr. Speaker, I know that you are anxious to continue this important discussion. It is not often that I do not entirely agree with the House leader for the New Democratic Party, but on this occasion I really must take some exception. I think you should know, sir, the matter that raised his well-known ire occurred at the meeting of the standing committee on administration of justice at the beginning of the hearings on Bill 179.

I must agree, sir, with what you have put forward. It seems to me that if a member of a committee does not believe the chairman has ruled correctly, then certainly he has every right and privilege to appeal that ruling. I agree that sometimes that is a little bit of a waste of time, the composition of committees being what they are. With the six and five rule that the member for St. Catharines mentioned, six government members and five opposition members, we do not often win. However, on the occasion the honourable member was referring to, when I was present, and there may have been others, there was no appeal of the ruling that I recall and therefore no vote on the ruling.

Mr. Speaker: That is absolutely right. Appeal must be made to the committee. Of course, the committee chairmen have all kinds of advice available to them, and we just have to abide by whatever decisions they make.

Mr. Mackenzie: On a point of order, Mr. Speaker: I am not sure to what the honourable member was referring, but I want to make it clear that, inasmuch as we felt the ruling was totally inconsistent with procedures in the House, the chairman was challenged in the standing committee on administration of justice on three occasions over the ruling.

2:10 p.m.

VISITORS

Mr. Speaker: I would like to draw the attention of all honourable members to the Speaker's gallery, where we have as guests with us today, members of the Association of Parliamentary Librarians in Canada, who are meeting in Toronto this week. They are led by their president, Mr. Blake MacDougall, Legislature librarian of Alberta. Also present in the gallery with the group is the national librarian of Canada, Dr. Guy Sylvestre, who is attending the association's meetings as an official observer.

STATEMENT BY THE MINISTRY

CHINESE EXHIBITION

Hon. Mr. McCaffrey: Mr. Speaker, I am sure all honourable members will be pleased to learn of the tremendous success of the China exhibition, which concludes a six-month engagement at the Ontario Science Centre this weekend.

On April 30, I had the great pleasure of joining the Premier (Mr. Davis); Dr. Tuzo Wilson, the director general of the science centre; Mr. Leonard Reilly, chairman of the board, and the distinguished guests from the Peoples' Republic of China in helping to launch this impressive show, which has established attendance records for our science centre.

April 30 was a day of great excitement and pride for all people—excitement created by the event itself, and pride that this most spectacular exhibition of ancient Chinese science and technology ever assembled outside China had been obtained by our Ontario Science Centre.

I was particularly pleased by the important fact that, during its six-month duration, the China show would make a significant contribution to advancing the goals of our ministry. The cultural consciousness of Ontarians and people from beyond the borders of the province has been tremendously widened by viewing this show. Seven thousand years of Chinese science, technology and crafts have given visitors a greater appreciation of ancient Chinese civilization and its cultural legacy to the world.

In August, the China show brought the Ontario Science Centre its best monthly attendance ever. More people went through the doors of the centre in August than in any single month since it opened in 1969. China: 7000 Years of Discovery has enjoyed wide international attention and has been praised for its unique content and presentation. I think it would be safe to conclude that this is the major, single most-important reason for the increased public attendance.

On October 6, the science centre welcomed the one millionth visitor to the China show. By the time the show closes on Sunday it will have been seen by well over 1,107,000 people. As I mentioned, the show has attracted people from beyond our borders. Almost 45 per cent of the visitors to the China show have come from the United States or overseas.

What I find especially encouraging about the high attendance record established by this prestigious show is its obvious economic impact. Although complete figures are not yet available

for the month of October, in its first five months the China show brought in more than $2.6 million in admission fees. In addition, the restaurant at the centre itself sold $1.5 million in food, an increase of 26 per cent over the same period last year, and the bookstore revenue increased 82 per cent to $750,000. There is no question that the China show has had a considerable impact on our economy.

I am sure all honourable members will join me in congratulating the efforts of everyone who participated in making the China show one of the largest cultural events ever produced in Canada.

VISITOR

Hon. Mr. Gregory: On a point of privilege, Mr. Speaker: I did not notice this before, but I would like to draw the attention of members to the presence in the House of the former Minister of Agriculture and Food and member for Durham-York, Mr. Bill Newman.

METROPOLITAN TORONTO POLICE PRACTICES

Mr. Breithaupt: Mr. Speaker, on a point of privilege: Yesterday I asked the Attorney General (Mr. McMurtry) certain questions concerning recent developments in the so-called Proverbs affair, in the light of the fact that Mr. Proverbs had turned over last Wednesday further portions of the videotapes to the police.

As the trial reopened yesterday at 10 o'clock, the chief prosecuting attorney withdrew from the case. He advised the court that he would likely be a witness not only in the case before the court but in other matters as well. Mr. McGee had met with Assistant Deputy Attorney General Rod McLeod and John Takach, the director of crown attorneys, two very senior crown law officers, last Friday. Apparently at that time it was agreed to have Mr. McGee remove himself from the case.

Is it likely the Attorney General was unaware yesterday when asked of the Friday turn of events? It was clearly this very development the Attorney General had in mind when he said yesterday that the trial was scheduled to proceed to court next week. We were all of the assumption that the trial was proceeding apace yesterday and this week, but he had already been informed of the one-week adjournment.

The Attorney General has not been candid with this House. The entire point of my questioning yesterday was to ascertain how the investigation was affecting the trial process. It was to have the Attorney General adopt a reasonable approach to the investigation, and this very point was underscored by the trial judge himself when he said: "It is obvious to me that Mr. Proverbs by definite intentions has planned to drop at the feet of the crown counsel evidentiary morsels which he expects the crown to snap up and analyse and ask for an adjournment."

The Attorney General has shown little regard for the rights and privileges of the members of this House. Let him, as the highest law officer of the province, now show some regard for the administration of justice, respect for which is being battered and reduced in the eyes of the public with each passing day by curious behaviour such as his. The next half hour of the tapes when released may well, for all we know, implicate the trial judge or otherwise obstruct and hinder the whole process of the present trial.

Mr. Speaker, I believe that my privileges and those of all members are being compromised by this discredit to our judicial system. The Attorney General owes it to this House and to his reputation to give a statement to us now that he will move to obtain all the 37 hours of videotapes forthwith. Only then can we be confident that the investigation by Deputy Commissioner Lidstone will have all the materials necessary to do the job.

We have seen justice compromised in this province by the advance of the Proverbs trial so far, and the Attorney General should not delay in ending this most unhappy situation.

Mr. Speaker: I must point out to the honourable member that this was not a point of privilege and I must rule him out of order. However, having said that, I am sure the Attorney General will take note of the member's remarks. He is not in the House and will reply at a suitable date.

ORAL QUESTIONS

UNEMPLOYMENT

Mr. Peterson: Mr. Speaker, I have a question to the man who has brought down interest rates, the Treasurer. He is no doubt aware of the Conference Board of Canada prediction of today that the unemployment rate for 1983 will be 12.7 per cent, about two per cent higher than the expected 1982 average rate, with a peak of probably about 13 per cent this winter. He is also aware of the forthcoming forecast from Chase Econometrics Canada and Midland Doherty. Chase even went so far as to predict a peak of 13.8 per cent in 1983.

Obviously these numbers are Canada-wide, not just for Ontario, but they speak very poorly for Ontario. Can we have the Treasurer's estimate of what the unemployment rate will be in Ontario for next year?

Hon. F. S. Miller: Mr. Speaker, as members know, I bring out an estimate each year. Just as I was wrong in my May estimate of employment for this part of the year, and I was, I hope the estimates the Leader of the Opposition is hearing from those people about the percentages of unemployment next year are wrong too. I am not yet in a position to say they are not the best or consensus opinions of economists, either in my ministry or in business in general.

I would only say this: We recognize that even if the slow steady recovery that was forecast by that group takes place, it will not be mirrored immediately in an improvement in job statistics. That is because, as I am sure the member knows, many corporations are running at relatively low percentage capacity figures at this time, and most of them have some room to improve sales before they have to bring more staff back.

Contrary to the opinion that companies mercilessly lay off staff every time there is a drop in production, I will argue that many have kept on people whom they know they need in the hope that there will be an upturn. That means there will be no sudden return to job hiring with the first upward movement. I firmly believe, and I agree with the Conference Board of Canada on one thing, that the direction has changed and improvement is the future order.

2:20 p.m.

Mr. Peterson: That is not the way I read those figures, but the Treasurer may have his own way of doing it. Just because he was wrong, he hoped everyone else's forecast was wrong. Any way he cuts it, it speaks to a massive problem. Even if he is right and certain companies are keeping people on even though they do not need them, it speaks to a far deeper and more severe crisis in this province than is indicated by the numbers.

Will the Treasurer not agree with me that, in the circumstances, the response of the Minister of Natural Resource (Mr. Pope) that he has created some 4,000 jobs is absolutely paltry? That is 4,000 jobs over five months, when in fact about every five days we have been losing that number of jobs in Ontario.

Will the Treasurer not agree that he has to act very quickly, acknowledging as he does that the crisis is worse than the figures indicate?

Hon. F. S. Miller: If I am not wrong, I believe the 4,000 jobs that were discussed were just the section 38 jobs. In fact, there were a lot of other parts to the budget in May besides that. I suggest to the Leader of the Opposition that if he checks with my colleague the Minister of Municipal Affairs and Housing (Mr. Bennett), he will find that municipalities have subscribed well to the more than $30 million he offered them for local jobs.

If the Leader of the Opposition will check the statistics on the purchase of new homes, I suggest he will find that in a good many parts of the province at the moment there is a mini-boom in retail sales of both new and used houses. It is those actions this government took in May that have helped.

I also suggest to the Leader of the Opposition that tomorrow, if the news releases are correct, he is going to hear some kind of state of the nation address from the Minister of Finance. I hope, and I hope the member will hope too, that the Minister of Finance is going to have some measures in his statement that will apply nationwide, with which we may be able to co-operate.

Mr. Cooke: Mr. Speaker, I have a question of the Treasurer. He will be aware that the Conference Board of Canada predictions indicate that the unemployment statistics will hold true only if government policy remains the same; that the only variable is a change in government policy. Is the Treasurer willing to indicate to the Legislature and to the people of this province today that government policy for this province will change? Is he willing to state that job creation, the expansion of consumer buying power and a long-term industrial strategy will become the priorities of this government instead of its fighting inflation through the control of wages, which is now the priority?

Hon. F. S. Miller: Mr. Speaker, they are not by any means at all contradictory or mutually exclusive. I am sure the honourable member knows that. The major problems of unemployment are in the private sector. The major problems of inflation, as we saw them, were being created by increases in the salaries of people who were not subject to the changes in the marketplace. That is why we took the action to create jobs.

Mr. Peterson: Can I ask the Treasurer why he is so frightened to be forthcoming about any plans he has? Today, again, he said: "Well, maybe the new federal Minister of Finance may say something in his statement tomorrow." The

Treasurer always cops out of his responsibility. Does he have any ideas? Why is he so frightened to be forthcoming? Is he just negotiating with them, trying to barter with them? Is he just trying to deflect the responsibility? Or is it his position that he does not have any responsibility in this matter?

Hon. F. S. Miller: I have never tried to say I did not have responsibility. If I did not think I had, I would not want the job I have. I try to put my responsibility in a relative measure to that which the federal government has; it has a lot more than I have.

CADILLAC FAIRVIEW

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations. The minister is aware of the sale from Cadillac Fairview to Greymac Credit Corp. of some 11,000 rental units in the city of Toronto. Obviously, as the minister concerned with the rent review legislation, he has to be very concerned about the possible result of that sale on those tenants. I want to know the minister's view of that sale and what is he doing now to protect those tenants.

Hon. Mr. Elgie: Mr. Speaker, I think the Leader of the Opposition, who was part of the whole process from 1975 on when rent control was introduced, knows that the government, with concurrence of members of this House, introduced a rent review program which involved a guideline of six per cent and which involved the cost pass-through principle. That is a principle which the Liberal Party has publicly supported over the years as being a reasonable and rational one, in spite of the fact that some of the members opposite think the whole rent control process is economic insanity. Having said that, let me say that by and large the rent control program has served the tenants of this province well.

We are all running into problems now with respect to inflation and the problems that evolved from inflation, particularly high interest rates. Individuals, home owners and property owners are faced with those problems particularly when they refinance their properties at increased mortgage rates or, in the case the Leader of the Opposition is referring to, when a property is sold.

I think our obligation, and it has been the obligation of the rent review process, is to make sure there is no collusive relationship between people selling properties. I hope we can make certain that it is a reasonable sort of sale. I have not heard anyone suggest that it is not a reasonable price, but of course those are matters that will be fully disclosed when more details are known about it.

What we are doing is to continue to make certain that the rent review process is fair and well-funded. Last week, cabinet and Management Board approved an additional $2.5 million annually to add to the staff and to improve the availability of commissioners and staff to facilitate the rent review process. We are endeavouring to make that process work as well as it can and to serve the tenants and landlords of this province well.

Mr. Peterson: The minister has not satisfactorily answered my concerns about this particular transaction. He is aware that this transaction involves about five per cent of the controlled rental stock in Metro Toronto. Is the minister aware of the gigantic proportions of that? He is aware that this affects more than 20,000 tenants. He recognizes, at least on the surface, that it looks as if a high percentage of the financing for that sale will be passed through to the tenants.

I am sure the minister recognizes his responsibility in this very special and extraordinary situation. The only action I have seen so far is some passive promise perhaps to write a letter to the Foreign Investment Review Agency expressing some concerns. Will he not agree with me that his responsibility as the minister goes further than that and that he should be looking into this? Since it appears he is not prepared to do that, he should allow a select committee or a committee of this House to look into all aspects of that sale so we can satisfy ourselves that the tenants are not financing that purchase by foreign investors.

Hon. Mr. Elgie: I have outlined in detail my view of the rent control process. I also recognize my obligation and the government's, as well as that of the Legislature, to make certain it is a process that is constantly under review. I commit myself to that kind of process as I have in the past.

As to the issue of the sale itself, I have no problem in indicating to the Leader of the Opposition and other members that I will be happy to invite Greymac Credit Corp. in. I have never had discussions with them about this transaction to find out in greater detail the exact outline and nature of the sale and better to evaluate the impact on tenants. Surely the issue we have to face is to make sure that the system can phase in those increased financing costs in as fair a way as possible.

As the Leader of the Opposition knows, a present guideline of the commission recommends that something in the neighbourhood of three years is a reasonable phase-in period and that the financing of more than 85 per cent not be allowed. Both of those guidelines have been challenged in one case that is now before the courts. It may be, if that challenge is successful, that we will have to look at the right of the Residential Tenancy Commission to do the things they have been doing, because I certainly think they have to be able to phase in increases like that.

Mr. Philip: Mr. Speaker, does the minister agree with the contentions of the Federation of Metro Tenants' Associations that this sale will put thousands of people on to the street and that it will result in an average increase of 30 per cent or more to tenants in those Cadillac Fairview buildings?

2:30 p.m.

In spite of warnings from the Federation of Metro Tenants' Associations and from the New Democratic Party over the last couple of years that the major single component in rent increases would be the turnover and refinancing of buildings and that a major component of that was offshore speculation, can the minister tell us why he has not responded to requests in this House for an inquiry into the effect of offshore speculation on increasing rents in this province?

Can he tell this House what position his government will have when FIRA comes to him and asks whether or not he feels this sale is in the public interest?

Hon. Mr. Elgie: Mr. Speaker, I cannot tell the House the results of any review, if there is going to be one, by the federal government. It would be foolish to make a commitment without having seen the findings. The member should not expect anyone to do that.

We have to continue to look at the rent review process to make certain it is treating tenants as well as landlords fairly. I personally have concerns about reports of rapid turnover of properties, and I will continue to look at those issues to see if there is any appropriate approach that I might recommend to the government if it is indeed a real problem that is facing people.

Mr. Peterson: Mr. Speaker, I have a note from my colleague the member for Kent-Elgin (Mr. McGuigan). He says: "The sale of real estate is like the sale of high-priced breeding animals owned by country gentlemen. They enhance the price of the animals by buying each other's bulls. 'You buy my bull and I will buy your bull.'" We do not buy the minister's bull on this question.

We have an extraordinary situation here. This is not routine. This is not run of the mill. The minister is responding late all the time. A couple of weeks ago, he did not even know it was before FIRA. Yesterday I gather he said he might send a letter to FIRA expressing some point of view. We are going to be in this House a year from now discussing how to handle massive rent increases arising out of this sale if we do not deal with it now. We have an opportunity to deal with this emergency situation now.

Will the minister permit this matter to go before a committee of this Legislature for a thorough scrutiny by all members of this House to make sure the legislation is fair in the circumstances and is not just encouraging people to roll over buildings and pass the prices to the tenants?

Hon. Mr. Elgie: Mr. Speaker, if there are any matters the government thinks should be brought before the House for legislative purposes, I will be pleased to have a committee of the House review them, as it would in the ordinary course of events anyway. We like to feel that the ministry, our staff and others we consult with over issues will be able to face the issues in a legitimate way. I would expect the member would agree that is the role of the government and the role of the ministry.

WAGE AND PRICE RESTRAINT PROGRAM

Mr. Foulds: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations. As the minister responsible for the administered prices program of the government, will he tell us in which of the following fields the program has been successful: Ontario health insurance plan fees, milk prices, natural gas prices, chronic care copayment fees, liquor prices, rents, motor vehicle licences and gasoline prices in northern Ontario?

Hon. Mr. Elgie: Mr. Speaker, unfortunately I was not able to write down all the items the member listed. He knows very well many of them are in the private sector. It is of great concern to all of us that the Prime Minister of Canada has already ruled out a wage and price control program in the private sector. He would

have been much wiser—and I suggest the member probably agrees with him—to wait until one gets a better idea of the effectiveness of the public sector program that is being proposed.

I think the Treasurer (Mr. F. S. Miller) addressed the issue of OHIP fees very clearly. He indicated that the decision on the fee increase was made last May and was not part of this process. He also indicated, however, that he would be very sympathetic to the whole process when the issue was considered again in the spring, and I will be interested in that process as well.

The issue of natural gas increases has not yet come before the committee and, as members know, the committee cannot be formally constituted although it is operating on an informal basis until the legislation is completed.

Mr. Foulds: As the minister has rightly identified in the list I outlined, increases range from a minimum of six per cent to a maximum of 140 per cent. Can he tell us how he can have this double standard where he says that on the items I have listed, the decisions were made prior to his introduction of the government program, whereas the legislation is rolling back contracts about which a decision was made in good faith prior to the introduction of the program? Can he explain that inconsistency?

Can he tell us why the people of the province should accept his program when it does nothing? It has failed on every major front to keep the costs to consumers in health care, transportation, food and housing within his guidelines. How can they accept this program in good faith?

Hon. Mr. Elgie: The member for Welland-Thorold (Mr. Swart) and I had a discussion the other day about, for example, food as an item on the consumer price index. At that time we commented on the dramatic reduction there had been in the food portion of the index.

Indeed, the September figures are even more startling across Canada, indicating that food prices constitute about 5.5 per cent of the consumer price index on the September basis. So perhaps the voluntary aspect of the program and the talk about the need to practise restraint and tighten our belts is having some effect.

I have to tell my friend I do not know any way to deal with the problems that face us today other than by facing the problem of inflation. I have not heard realistic talk from the member about how to face that problem.

I heard of one rebel in his party in Ottawa who came out with a statement about the need for wage and price controls, but I have not heard any member of that party here supporting him on that issue. If he wants to have some positive effect on inflation, he should support some programs that are aimed at dealing with it.

Mr. Peterson: Mr. Speaker, would the minister not agree with me that we are going to see the kinds of problems raised by the New Democratic Party increasing and that there are too many holes in his legislation on the price side?

The fact that he is not including his friends the doctors is lending a serious credibility problem to that legislation. We have heard nothing from the minister, as the wage and price czar in this province, about Ontario Hydro's rates, which are coming out this afternoon. Why is he not exercising his responsibility to make sure everybody knows that everything falls into line in this province, both prices and wages?

Hon. Mr. Elgie: Mr. Speaker, I do not think the Leader of the Opposition really believes the price control system will be a perfect one. We will endeavour to make it as good as we humanly can. I have indicated to the member the criteria on which we will base that review. Hydro's rates will be subject to review as well.

Mr. Swart: Mr. Speaker, the minister well knows he does not intend to do anything at all about controlling prices. He does much less on price control than other provinces in this country. Milk and auto insurance rates are examples where many other provinces exercise some control. He knows that natural gas for home heating and other purposes is an administered price over which he has control. Does he know that Consumers' Gas—

Mr. Speaker: Question, please.

Mr. Swart: This is the question, Mr. Speaker. Does he know that Consumers' Gas has not changed its 15 per cent increase request to the Ontario Energy Board since he tabled his bill, except to say that the wage increases of its employees should be reduced to five per cent?

In view of the tremendous increase of 35 per cent which Consumers' Gas received last year, if the minister is now sincere and wants the people of this province to be sincere in doing something about excessive prices, will he freeze Consumers' Gas income for a one-year period?

Hon. Mr. Elgie: Mr. Speaker, although the issue is not one that has come before the cabinet committee, it is my understanding that Consumers' Gas has agreed to conform to the guidelines with respect to its cost within this province.

The member says wage increases would be held to five per cent. Having said that, he also knows the employees of the gas company are not subject to the wage control program, so that reduction in income will have to come out of some other aspect of its operations.

He also knows, because I know he is an intelligent man who reads about the world's problems—

Interjections.

2:40 p.m.

Hon. Mr. Elgie: I ask the Premier (Mr. Davis), was I wrong? Is he not an intelligent man who reads about the world's problems? I think the Premier is wrong. I think he is such a man. Is there no applause for that? Goodness gracious.

He knows very well this government can have no control over the cost of gas as it relates to the Alberta-Ottawa and Saskatchewan-Ottawa agreements. He knows very well this government has no control over the cost of gas in the trans-Canada pipeline. He also knows that the federal government, recognizing that, exempted energy from its control program. He should not say we are not doing anything; we are doing something nobody else is doing.

EMPLOYMENT PRACTICES

Mr. Foulds: Mr. Speaker, I have a question for the Minister of Education in the absence of the Minister of Labour (Mr. Ramsay). Is the minister aware that female employees at the Essex County Board of Education have been forced to undergo extensive medical examinations, including internal examinations and the taking of bust measurements, as a condition of employment? Can the minister tell us what this possibly has to do with being a competent typist?

Hon. Miss Stephenson: Mr. Speaker, I was unaware any such requirement was established by any board of education anywhere, but I would remind the member that if that were established I guess it would have been the decision of the administration of that board, and that board is a duly elected body responsible to its own taxpayers.

Mr. Foulds: May I ask the minister to refer the matter to the Minister of Labour, who is absent today, because the three complaints that have come to our attention have come from employees who are on probation. Two of them are on a probationary period for one year and one for three months.

From her previous experience as Minister of Labour, the minister will understand that employees in probationary periods face some emotional stress. They must tolerate these examinations in spite of their personal objections. Will the minister have the Minister of Labour investigate this action, and will she have him take action to protect all female employees of boards of education and other employees from this kind of examination?

Hon. Miss Stephenson: Of course I shall refer it to the Minister of Labour. It was my understanding that all employers in the province would be aware at this time, after the discussions that took place around that piece of legislation, that only those aspects of a physical examination which had a direct bearing upon the responsibilities to be assumed by the potential employee were appropriate for inclusion in a physical examination. I shall most certainly speak to my colleague and ask him to investigate this.

Mr. Speaker: Supplementary, the member for Niagara Falls.

Mr. Kerrio: I have a new question.

Mr. Speaker: Final supplementary, the member for Port Arthur.

Mr. Foulds: I thought the Liberal Party might be interested in the issue, Mr. Speaker. Given the conditions the minister outlined in her last answer, where it is a requirement for the employment involved, could she at least push for the condition that an employee who requires that kind of examination be allowed to have it done by her own doctor?

Hon. Miss Stephenson: That is a circumstance which is prevalent in many instances but not all. In large organizations, frequently the physician employed by the company utilizes not only the information received from the patient's own physician but also whatever additional examination is considered appropriate.

I do not think the member is suggesting that anyone should employ an individual without at least trying to make sure that individual is unlikely to have an acute attack which is perhaps going to limit her employability within a very short time of being employed. I do not think it matters whether the employer's doctor or the individual's doctor carries out the examination as long as that examination is appropriate to the employment.

CYANAMID CANADA INC.

Mr. Kerrio: Mr. Speaker, I have a question for the Minister of Energy. Is the minister aware

of the petition filed with the cabinet on October 20 by Cyanamid Canada Inc. regarding natural gas price increases? That petition states:

"If Cyanamid does not obtain substantial relief in its natural gas costs immediately, there is a strong likelihood that Cyanamid will close down its nitrogen production at the end of the fertilizer season next spring. This will mean over 1,000 more people unemployed in Ontario, 700 of them at Niagara Falls Garner Road plant, and will have a substantial detrimental effect on other business in the Niagara area."

Has the minister examined the possible occurrence of these layoffs? In view of the devastating effect that skyrocketing gas increases are having on industry, what is he going to do to redress this situation?

Hon. Mr. Welch: Mr. Speaker, the short answer is yes, I am aware of the presentation. Indeed, there have been other representations made to this government, to the Minister of Industry and Trade (Mr. Walker) and myself, on this issue.

As the honourable member knows, there is a task force put together by the government of Canada, because this is obviously a reflection on the energy costing and pricing agreement between the producing provinces and the government of Canada. This government views quite seriously the economic impact of this, and the whole matter of the consequences flowing from the federal-provincial agreement dealing with pricing is at present under review.

Mr. Kerrio: In view of the fact that the end product of nitrogen contains some two thirds of its cost in natural gas, and that the Cyanamid plant in Niagara is paying 25 cents per 1,000 cubic feet more than CIL and 22 cents more than Nitrochem, and that the Ontario Energy Board is responsible for setting the price structure, how can this plant compete within the confines of Ontario when, under the jurisdiction of the OEB, we do not have fair pricing across the province?

How is the minister going to redress that problem when he heard in the estimates that the gas companies are getting a return on their investment and it does not have much to do with having equitable prices across the province? How will the minister address himself to those problems?

Hon. Mr. Welch: The honourable member knows, because he is the critic for this ministry and he has been at the estimates, that we have nothing to do with establishing the wholesale price of natural gas. What does the OEB have to do with setting wholesale prices? That is the subject matter of an agreement between the government of Canada and the producing provinces and that is where this problem originates. We have been asked to give consideration to it.

Mr. Swart: Mr. Speaker, surely the minister will know that Consumers' Gas increased its markup by 60 per cent in the award that was made last February. This markup was three or four times greater than has ever been awarded before. Recognizing the fact that the government does have substantial control over gas prices, does the minister feel that award giving the gas company a 35 per cent increase was justified?

Hon. Mr. Welch: That is not supplementary to the question at all, and I think the honourable member knows it.

I want to point out to this House that the problem raised by the member for Niagara Falls is a very serious one affecting the economic livelihood of a lot of people who come from the Niagara Peninsula, where the member and I seek some support. I think we should address the question that is before this House, which is what the member for Niagara Falls invites us to do, and not get sidetracked on some other issue with respect to this matter. The member for Welland-Thorold knows better.

2:50 p.m.

ENUMERATION OF FRENCH-SPEAKING VOTERS

Mr. Allen: Mr. Speaker, I have a question for the Minister of Intergovernmental Affairs on a subject which I know is a matter of some conscience for him.

The minister will be aware that on the municipal enumeration sheets there is the following question, "Do you wish your name to be on the electors' list for French-language school purposes?" But are the minister and the government aware that in my own city of Hamilton, informed observers estimate that of some 12,000 electors, at least half have not had that question asked of them in the process of enumeration, and that inquiries into the surrounding districts likewise reveal very haphazard attempts to elicit an answer to that question?

Is the minister also aware that the Association canadienne-française de l'Ontario estimates that 10 of its 20 districts have not had that question asked of their members, and that the French-language school trustees refer to the situation as a disaster?

What do the minister and his colleagues propose to do to retrieve this disaster for those undertaking to carry out responsible duties under the Education Act? What does he propose to do to ensure this does not happen again?

Hon. Mr. Wells: Mr. Speaker, I am not aware that numbers of people were not asked the question. I would have no way of knowing that. I am aware that some complaints, not a great number, have been directed to our attention from people who said they were not asked the question and from others who said the question was asked incorrectly. I suppose that kind of comment could be made by many people about many of the questions in the enumeration process.

We agreed with the Franco-Ontarian groups to undertake this as another way to get a list of French-language electors in this province. I fully supported this way of doing it and believed it was worth trying. If we have not arrived at the point where we can get the proper list through this process, we will work with the groups to work out some way to get the proper list.

Beyond that, I am not responsible for the carrying out of the enumeration function. I suggest the member should direct that question to the Minister of Revenue (Mr. Ashe), who carries out the enumeration.

Mr. Allen: In some measure, I am heartened by the fact that the minister indicates some undertaking will be made to ensure that adequate lists are provided in the future. None the less, when the government has undertaken an extensive program to publicize the importance of these particular municipal elections, which are going to be for a three-year duration, so the franchise is much more important than it normally is—

Mr. Speaker: Question, please.

Mr. Allen: Will the minister assure us that in future enumerators will be properly instructed so that they will ask a simple question? Since the attempt has been made twice before with some satisfactory results, will he not, in this instance, persuade his colleagues to order a new enumeration in those districts where it can be ascertained that the question was not seriously asked on a systematic basis?

Hon. Mr. Wells: No, we could not order a new enumeration. I must emphasize to my friend that when we were talking about how this could be done, we underlined to the groups that there would probably be problems with it. It is exactly the same kind of process that goes on when we have enumerations for provincial and federal elections. There is always a multitude of complaints about the way the enumeration is carried out.

We underlined to these people that this was a new question that had never been on the form, that we were using a large group of people who would be instructed to carry out this enumeration in the province, but that we could not promise absolute 100 per cent results from the process.

Before everybody gets all worked up about it, they should first of all get the lists, which should be made public. We will make sure the lists are made public so that people can see the list of French-language electors. They can get the list and take a look at the list first, and then, if there is a complaint, we can study the list together with the Franco-Ontarian groups.

I have written the Minister of Education (Miss Stephenson) or the French-language groups and told them the list should not be used as the sole basis for electing the French-language advisory committees—in other words, it is not the final definitive list of people who can vote for French-language advisory committees—so there should be no problem there. Anyone who comes forward and qualifies at the electors' meetings will be allowed to vote for French-language advisory committees, as they have in the past.

Ms. Copps: Mr. Speaker, while the minister is investigating the issue of questionable enumeration practices, would he take a look at a petition that was tabled with one of his colleagues, the member for Durham York (Mr. Stevenson), in which area residents are extremely concerned because several dozen members of a gun club, who do not reside in their community, are being allowed to vote because of their membership in the gun club? The petition was tabled with the minister. Could he please check into those questionable enumeration practices?

Mr. Speaker: With all respect, that is not a supplementary to the main question.

Mr. Shymko: Mr. Speaker, I wanted to ask a question of the Minister of Consumer and Commercial Relations (Mr. Elgie) but he is not in the House. I do not really know to whom I should address it, so I will wait until tomorrow.

MUNICIPAL TRANSFER PAYMENTS

Mr. Bradley: Mr. Speaker, I have a question for the Treasurer. Eventually, when he is prepared to give his assurance or make his

announcement, the question will have great ramifications for the municipal taxpayers in the province.

In view of the fact that municipalities and boards of education, at least at the staff level, are beginning their process of looking at next year's budget, and in view of the fact that they must meet special mandated obligations, such as I discussed with the Minister of Education (Miss Stephenson) the other day—Bill 82 and the cost associated with that; or in the case of municipalities, the pollution abatement cost of removing phosphates—would the minister assure the House today that the level of payments transferred from the province will be in excess of the five per cent which he is placing as the restriction on salaries and wages in order that they can meet those special responsibilities, many of which have been mandated by the provincial government?

Hon. F. S. Miller: No, I cannot, Mr. Speaker.

Mr. Bradley: Would the Treasurer not agree that while the municipalities would likely anticipate a lower level of transfer payment from the Treasurer than had been anticipated earlier this year before his restraint program, they still have to meet their own obligations for their own programs, many of them now pared to the bone, and they also have to meet programs and stipulations put forth by the provincial government?

Would he not agree that if he does not take action to provide the municipalities with sufficient funds to carry out their operations, both their own initiatives and those mandated by the province, the burden will fall ultimately on the property taxpayer, who will be paying the most regressive form of tax at a rate well above five per cent?

Hon. F. S. Miller: I have pointed out to this House before that the share of family income represented by property taxes has been dropping at a time when most other taxes have gone up. I pointed out in my budget that the municipalities of Ontario should not expect to get inflation this year. The Minister of Municipal Affairs and Housing (Mr. Bennett) has indicated they would get little, if any, increase in their grants this year. I believe they have all, collectively, been doing their best to tailor their spending with that expectation in mind.

Mr. Breaugh: Mr. Speaker, would the Treasurer give us his assurance that at the very least he would adjust the grants so that where there is clearly an impact on a municipal budget because of the actions of this government, that impact would be covered? He made some assurances in his budget that the impact on sales tax and licensing provisions would be reflected in his grants next year. For example, when a minister, such as the Minister of Community and Social Services (Mr. Drea), just put another $800,000 into the region of Durham municipal social services obligations, will the Treasurer now move to give us some assurances that he will at least help them to recover those costs, which they did not anticipate and which are a direct reflection of actions of the government?

3 p.m.

Hon. F. S. Miller: Mr. Speaker, I cannot give any assurance that increased costs are going to be met by us. I have to point out to my colleague that I have had a major reduction in the share I am getting from the federal government already. There are rumours around that it may be cut further.

WINDSOR TESTING FACILITY

Mr. Cooke: Mr. Speaker, I have a question for the Minister of Health. Can the minister report to the Legislature on the status of the establishment of a testing facility in the Windsor-Essex-Kent area for those individuals who have the disease of malignant hypothermia, and on whether the government is willing to commit the necessary funds so that the testing can occur in our area for the approximately 1,200 people who are suspected of having this particular disease?

Hon. Mr. Grossman: Mr. Speaker, I know this problem is of great concern to all of us. The member for Windsor-Riverside wrote me about this matter at an earlier time and has expressed his concern several times since then.

I am able to report that the ministry is willing to commit the appropriate funds to make sure that the test is available in southwestern Ontario. Currently the ministry is trying to locate a hospital and a doctor willing to undertake this very difficult and complex test. We have had discussions with the Essex County District Health Council, and in turn, they have had discussions with many of the hospitals in Windsor with regard to undertaking this particular test.

A further meeting is scheduled for about the middle of November, at which time we may have some more definitive answers with regard to whether any of the hospitals have staff who are willing to undertake this procedure. If they do, then the ministry will fund it immediately.

RETAIL GASOLINE VENDORS

Mr. Sweeney: Mr. Speaker, I have a question for the Minister of Industry and Trade, which refers to a document put out by the Petroleum Resources Communication Foundation entitled, Pump Price Breakdowns across Canada for September 1982.

Given that this is Small Business Week in Ontario and that the minister should be conscious of and supportive of retail operators of service stations as small business, can he tell me why the retail operators in Ontario receive a dealer margin per litre which is the lowest of all Canadian provinces? Ontario dealers get 2.2 cents a litre compared with 4.7 cents in Newfoundland, 4.2 cents in Prince Edward Island, 3.9 cents in Nova Scotia, 3.6 cents in New Brunswick, 3.4 cents in Saskatchewan and 3.6 cents in British Columbia.

Why do our small businessmen get the smallest margin per litre in all of Canada?

Hon. Mr. Walker: Mr. Speaker, the member for Kitchener-Wilmot well knows that this matter falls within the jurisdiction of the Minister of Consumer and Commercial Relations (Mr. Elgie). The member for Welland-Thorold (Mr. Swart) asked this very question just three days ago, and the Minister of Consumer and Commercial Relations undertook to provide additional information that related to it.

Mr. Sweeney: Can this minister, as a member of cabinet, explain why it is that, because of decisions taken by this government, of which he is a member, Ontario now charges at the pump, in the form of taxes and other government charges—royalties and all of those things taken into consideration—68 per cent of the pump price? That is the second highest price in Canada. Could it be that the small business operators in Ontario are being ripped off by their own government? Is this why they receive such a small amount?

Hon. Mr. Walker: Mr. Speaker, the member has to keep in mind who regulates the actual pump prices. The federal and provincial governments do not regulate the prices of petroleum products.

The second thing the member must keep in mind is that the Minister of Consumer and Commercial Relations has undertaken to provide additional information related to it. This is part of his jurisdiction and he will be reporting to this House on it. The member should pay him the courtesy of giving him the opportunity of replying to the member for Welland-Thorold (Mr. Swart).

LESLIE STREET SPIT

Mr. Charlton: Mr. Speaker, I have a question for the Minister of the Environment on the Leslie Street spit again.

The results of the pesticide testing done on soils being trucked to the Leslie Street spit clearly indicate that the ministry's control program will not stop all of the soil contaminated with banned pesticides from getting to the spit, basically because all of the sites that were identified as containing contaminated soils have not been designated for control.

This means we have taken and will continue to take soil containing banned pesticides and dump it on to that spit site. When is the minister prepared to expand the control program to cover all soils being trucked and dumped at the spit?

Hon. Mr. Norton: Mr. Speaker, for I think at least the third time in the last two weeks, that is the same question the honourable member has asked. I will offer him the same answer.

The program we now have in place is a prototype we will be monitoring for effectiveness over the next few months. At the conclusion of that time, I will make a decision as to whether it is applicable to a broader area or whether it ought to be more inclusive within the Metropolitan Toronto area as well.

Mr. Charlton: Surely the minister is aware that the pesticides that were identified in the soil samples tested correspond to or are the same pesticides that were identified in a report by his ministry last fall, November 1981—a summary report on the effects of dredging, soils disposal and lake-filling activities on water quality in the Toronto waterfront. The pesticides in this present set of tests are the same pesticides as that study identified as being present in waters at the H. R. Harris filtration plant.

That study last fall was a study of the dredging problem. This information now clearly indicates the relationship between the dredging study and the environmental assessment that is going on around the dredging study. Will the minister now make the spit dumping issue a part of the environmental assessment around dredging?

Hon. Mr. Norton: I am reasonably familiar with what is going on out there, but when the member starts making reference to these studies without identifying more precisely what he is talking about, even I get confused and I assume the other members in the House have no idea what he is talking about.

I would suggest that the member bear in mind

that the water quality monitoring that is going on in that area has not indicated any degradation of the water quality in the area of the spit. The answer to the second part of his question, with regard to expanding the environmental assessment to include the spit, remains the same as it was yesterday or the day before: no.

Mr. Elston: Mr. Speaker, will the minister tell the House today who are the owners of the Leslie Street spit area and whether or not they will be required to apply for a certificate, as I have asked on other occasions?

Hon. Mr. Norton: Mr. Speaker, the issue of ownership, as I understand it, is a matter of some legal debate at the moment.

Mr. Bradley: What is your best guess?

Hon. Mr. Norton: What is my best guess? Even though I am sure the member recognizes my expertise in the law, I would not wish to usurp the responsibility of the law officers of the crown and others. I will allow them to discharge their responsibilities and earn their living and wait until they have come to some conclusion on the matter.

3:10 p.m.

ASSISTANCE TO FARMERS

Mr. McGuigan: Mr. Speaker, my question is to the Minister of Agriculture and Food. A letter was sent on October 20 to tomato growers in the counties of Kent and Essex by Southland Canning of Wheatley, in which they say they are unable to meet the terms of payment in their payment schedule. In view of this, will the minister take steps to provide financial protection, under the Farm Products Payments Act, to food producers before rather than after the event, as was the case with the McIntyre bankruptcy case in which he moved quickly and got protection for cattle and hog producers? Will the minister do this for the many other agricultural products that are in jeopardy due to our economic times?

Hon. Mr. Timbrell: Mr. Speaker, I am glad the member raised this matter, inasmuch as my staff gave him the answers to that several days ago.

In the matter of the Southland company, the honourable member knows that the assistance which was afforded to that company some time ago through the Board of Industrial Leadership and Development program was done in such a way that we have a secured position with respect to that company. Potentially, that money could be used if, in fact, it came to that, to pay the bulk of the money owing to the growers.

Also, the member probably will know that the company has a very significant inventory of processed products in its warehouses and is having problems moving it due to a problem with imported produce, I believe from Italy and Spain or Portugal. That leads to another matter: the question of whether or not that constitutes dumping. As the member knows, that is being pursued through the appropriate channels with the federal government. We have some very serious doubts about what is going on there with respect to those imported products.

Coming back to the broader question, the member is suggesting that we move away from what is essentially a voluntary program under the existing legislation to a compulsory program covering all commodities. I really think we are not at the point where we would be in a position to make it mandatory for every grower in the province.

Mr. McGuigan: Does the minister realize that while the government may be protected, farmers are extremely anxious? One young farmer who called me lost his crops last year due to bad weather, and he is owed $40,000. He is under the farm adjustment assistance program, which gives an indication of his financial health. That young farmer is extremely worried. Does the minister realize that technically the company is in bankruptcy today because it cannot meet its ordinary payments? If someone moved on them and forced the sale of that inventory at fire-sale prices—and I have seen this happen in my experience in farming; in fact, I have been the victim of it—that farmer will get very little.

Hon. Mr. Timbrell: I am not for a moment questioning the concern of growers, collectively or individually. In this particular case, at the time that BILD assistance was afforded to that company someone had the foresight to secure that assistance, in effect as a second mortgage, so that if it came to the worst we would be in a position to recover at least a portion and thereby be able to assist the growers.

On the broader question, the member is suggesting that rather than a voluntary program which has been available for—the member can correct me—I think, five or six years since the legislation was put through, it should be made compulsory on every single grower of every single commodity in the province to participate. I do not think we are at the point where we could do that.

HYDRO RATES

Mr. Swart: Mr. Speaker, my question is to the Minister of Energy. I have just been informed that Ontario Hydro has made an announcement with regard to its rates. I would like to ask the minister, why did he not make an announcement in the House today? Am I correct in saying the amount announced for the rates is an increase of 8.3 per cent? If so, does the minister not agree that is unreasonable and not in line with the government restraint program?

Hon. Mr. Welch: Mr. Speaker, it is my understanding that the Ontario Hydro organization was to make an announcement some time this afternoon with respect to its rates. I have not received a formal communication from Ontario Hydro, but I will have that information and be glad to comment once I have that officially from the chairman of Hydro. I would remind the honourable member that at eight o'clock this evening, the standing committee on resources development is meeting. It is still considering the estimates of the ministry, and Ontario Hydro and its representatives will be at that meeting.

Mr. Swart: In view of the in-depth understanding that the minister must have of Hydro, I am surprised, first of all, that he did not know what the increase was going to be. Also, I would ask him—

Hon. Mr. Welch: I did not say that.

Mr. Swart: —in view of the concern he must have for hydro rates and the examination he would have done, would he not agree that rate is excessive? Is he prepared to make an announcement now that he will appeal it to the Inflation Restraint Board?

Hon. Mr. Welch: Let the record show that is not what the honourable member asked me in his first question. He asked if I had the official notification. I must say the member is using a figure I am not familiar with as well. I think the House would be best served when we have the official notification from Ontario Hydro, which has the responsibility to establish the rates. I am quite familiar with what the rates will be.

Mr. Peterson: Mr. Speaker, I have notice right here from Hydro. He has notice. Is the minister telling us he does not know? Is that what he is telling us? Ridiculous. He is now getting an average increase of 8.4 per cent. That is what he is announcing. Is the minister denying that?

Mr. Speaker: Question, please.

Mr. Peterson: He did not have the temerity to come into this House and tell us what it is. It flies in the face of the minister's own restraint program. He has extra revenue this year from his sales to Vermont and Niagara Mohawk Power Corp. He could havebrought this within the restraint guidelines to give credibility to his own program. Why did he not do it? Does Ontario Hydro run the minister or does he run it?

Hon. Mr. Welch: Perhaps in the coolness of the balance of the afternoon, the Leader of the Opposition would reread the question of the member for Welland-Thorold with respect to what he asked me and the rates he quoted. When the Leader of the Opposition calms down I will be glad to share the facts with him. I am quite familiar with the process. Under the circumstances, Hydro will announce the rates. In fact, once they are announced we will be glad to comment on them.

RESPONSE TO WRITTEN QUESTIONS

Mr. Van Horne: On a point of privilege, Mr. Speaker: In regard to written questions, I refer to section 81(d) of our standing orders. On September 22, I put in a written question to the Attorney General (Mr. McMurtry) regarding the appointment of Mr. Ted Browne to the position of Master of the Supreme Court in London. The answer is not forthcoming; not even an interim answer. Could I direct to the government House leader, in the absence of the minister, that at least an interim answer should be provided?

Mr. Speaker: I am sure the minister will take note of your remarks. For the information of the honourable member, that was a point of order, not a point of privilege.

Mr. Peterson: It was a good point in any event.

PETITIONS

ANNUAL REPORT, MINISTRY OF HOUSING

Mr. Epp: Mr. Speaker, I have two petitions signed by 20 members of this caucus. The first one is as follows:

"Under standing order 33(b), we, the undersigned, petition that the annual report of the Ministry of Housing for the year ending March 31, 1981, be referred to the standing committee on general government."

3:20 p.m.

Mr. Speaker: For the information of the honourable member, I point out that the Minister of Housing is not required by statute to table an annual report. Therefore, your petition is out of order.

Mr. Epp: It is time he did.

[Later]

Mr. Speaker: Before we proceed, may I make a statement?

Hon. Mr. Wells: Yes.

Mr. Speaker: Thank you. I would like to advise all honourable members that the petition presented by the member for Waterloo North (Mr. Epp) to petition the annual report of the Ministry of Housing has been reconsidered. The Ministry of Housing no longer exists and therefore cannot table a report. However, that responsibility is now carried by the Ministry of Municipal Affairs and Housing, and they are by statute required to table a report, although they have not yet done so, I am advised. When they do, I would be pleased to entertain the petition of the member for Waterloo North if he still so desires.

Mr. Epp: Mr. Speaker, as you recall, my petition specifically referred to the report for 1981.

Interjection.

Mr. Epp: Yes. I certainly agree with you and I want to thank you for the decision.

Mr. Speaker: It was clearly just a mixup in names with the change of the names of the ministries.

ANNUAL REPORT, RESIDENTIAL TENANCY COMMISSION

Mr. Epp: Mr. Speaker, I have a further petition signed by 20 members:

"Under standing order 33(b), we, the undersigned, petition that the annual report of the Residential Tenancy Commission for the year ending March 31, 1982, be referred to the standing committee on general government."

Mr. Speaker: I advise the member that this petition is acceptable and therefore is in order.

ST. LAWRENCE REGIONAL CENTRE

Mr. Runciman: Mr. Speaker, for the record, I have a petition, containing approximately 3,500 signatures, which makes reference to the possible closure of the St. Lawrence Regional Centre in Brockville. It states that such a closure not only would result in unnecessary hardship being placed upon the clients of St. Lawrence Regional Centre but also would result in the loss of much-needed revenue and jobs in that community.

MOTION

COMMITTEE SUBSTITUTIONS

Hon. Mr. Wells moved that the following substitutions be made: on the standing committee on resources development, Mr. J. A. Reed for Mr. Wrye; on the standing committee on general government, Mr. Haggerty for Mr. Cunningham, Mr. McKessock for Mr. Bradley and Mr. Eakins for Mr. Ruprecht.

Motion agreed to.

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Peterson moved, seconded by Mr. Conway, pursuant to standing order 34(a), that the ordinary business of the House be set aside to discuss a matter of urgent public importance, namely, the current and continuing crisis in the rental housing market in Ontario and, in particular, the impending disastrous consequences for thousands of Ontario residents arising as a result of a recent rental residential property transaction between Cadillac Fairview Corp. and the Greymac Credit Corp.

Mr. Speaker: I beg to advise all honourable members that this notice of motion was received on time and does, indeed, comply with the standing order. I will be pleased to listen to the honourable member for up to five minutes as to why he thinks the ordinary business of this House should be set aside.

Mr. Peterson: Mr. Speaker, I have five minutes to persuade you, and I hope you will consider my arguments seriously. I recognize that others may argue it is not an emergency today, that it could have been one yesterday or perhaps will be next week. It is very difficult in a transaction of this nature to isolate the particular day it is an emergency as opposed to a nonemergency.

I draw attention, for example, to the great Sudbury question on which we have had emergency debates. It is very difficult to argue that there is a greater emergency one day as opposed to another day. The reality is that at some time we have to come to grips with this question in this House. I put that argument to you and ask for your understanding, Mr. Speaker.

Today is a particularly significant day in the sense that the Minister of Consumer and Commercial Relations (Mr. Elgie) made some pronouncements yesterday that were feeble, in our view, in that they did not address what we consider to be a developing major problem. I

know we could leave this matter for a year, but then we would surely have an emergency debate and would be wondering what to do.

We can see an emergency coming. All the facts indicate to us that we are walking into a transaction which, because of its size, will have disastrous consequences for the rental market in Ontario, particularly in Metro Toronto. We are going to have to address our minds specifically to some protection for those tenants.

There has been a very distinct paucity of information on the whole Greymac deal. The minister has been monumentally uninformed on this. If one looks at his public pronouncements on who Greymac is, whether it was foreign or domestic money and whether it was serious, he appears to have absolutely no knowledge of the situation; either it is that, or he tends to wash his hands of the situation.

Let me assure the minister that we are talking about five per cent of the controlled rental housing in this city. That is huge and, of course, it has ramifications for the entire rental market. As the minister knows, if these prices go up, they could lead to price-fed inflation or acceleration in prices for all the rental units in the city of Toronto. If it were just one or two units, it would not have that effect; but it is of such consequence that we in our party believe it bears looking into.

I do not have to remind the minister that we have a crisis in this province. The vacancy rates are about 0.3 to 0.4 per cent. We have a terrible backlog in rent review. If this transaction goes through, it is obvious that most of it will go to rent review and that we will see an increased backlog at the rent review level in spite of the infusion of cash which the minister has put into the entire matter.

We know that the issue here is really the impact of a transfer of ownership on rents in this province. We can see, and there is some speculation, that rents may go up 30 to 40 per cent to finance these kinds of purchases. As my colleague the member for Kent-Elgin (Mr. McGuigan) said to me, it is like gentleman farmers selling bulls back and forth, and just because the transaction takes place, the price goes up more and more.

We believe we need a thorough debate on this subject. It is an emergency. We also have to use other devices that we have available as the opposition. A committee should review this entire situation and talk to Leonard Rosenberg, the president of Greymac and the brother of Morley Rosenberg, to look at all the ramifications of this and perhaps have a thorough review of our rent review legislation at this time.

I assure the members that I know the government does not have the same view that I have on this matter. I understand that the government House leader (Mr. Wells) does not want to interfere with this particular schedule; he has a vested interest in the Malvern bill. I respectfully submit that nothing is more important than this issue, if we could start a debate on it. I am sure the Minister of Municipal Affairs and Housing (Mr. Bennett) is going to have some very serious views on this question, because he, like the rest of us, has to be concerned about the amount of rental stock in this city as well as in a variety of other cities, such as Ottawa and London, where we are facing a crisis.

This transaction could so exacerbate this crisis that a year from now we are going to be using all our legislative creativity to try to solve some of these problems. Let us use our capacity to anticipate by discussing it now, by looking at that legislation, by looking at how we can make sure this simple sale—which affects the tenants in no way to the better except to increase their rents, at least potentially—does not come about, and by looking at how we can make sure this does not assume the potentially disastrous proportions it could.

It is a big situation, Mr. Speaker. It needs a favourable ruling from you.

Mr. Philip: Mr. Speaker, our party believes there is an emergency. We find a certain irony in the fact that the Liberal Party has suddenly expressed concern about this problem, since it is the very party—

Mr. Boudria: What have you been doing?

Mr. Philip: I am about to outline what we have been doing. It is the very party—

Interjections.

Mr. Speaker: Order.

Mr. Philip: The Liberal Party is the very party that, together with the Conservatives, voted thousands of tenants out of rent review in 1977. It is the very party that advocated, along with its federal counterparts, the lessening and weakening of the Foreign Investment Review Agency. Indeed, it is the very party that has voted against tenants on issue after issue in this House.

We find an irony in the fact that this party, whose federal counterpart is advocating the

complete dissolution of rent review, should suddenly come forth with this motion. None the less, we will support it.

3:30 p.m.

The Federation of Metro Tenants' Associations has pointed out to the minister—

Interjections.

Mr. Philip: I can tell that we are pointing out their hypocrisy, and they do not like it.

Mr. Speaker: Order, please. I ask the honourable member to withdraw that if he will, please.

Mr. Philip: Hypocrisy? Hypocrisy is a good word and is parliamentary.

Mr. Speaker: No, it is not, and it is not acceptable.

Mr. Philip: Then I will withdraw the word "hypocrisy."

Mr. Speaker: Thank you.

Mr. Philip: Mr. Speaker, I know that party does not like its two-facedness being pointed out.

The fact is that the Federation of Metro Tenants' Associations has pointed out to the minister that this transaction, if it goes through, will put thousands of people on to the street, unable to pay the increased rents. It will also result in rent hikes of 30 per cent or more for many people in this city.

This is a crisis because this government has failed to act on the warnings given over the years by the Federation of Metro Tenants' Associations and by the New Democratic Party.

In April 1981, our party moved a no-confidence motion condemning the government for not acting on speculation by foreign investors in land and housing in this province. At that time it was the Liberal Party that voted with the Conservatives against that motion.

In February 1982, the Federation of Metro Tenants' Associations pointed out that the largest increases awarded by the Residential Tenancy Commission are based on the increased financing costs experienced by tenants after the resale of buildings. It made specific proposals to the minister at that time and the minister chose to ignore them.

On September 23, 1982, I introduced a private member's bill which would have plugged loopholes in the present rent review act and which would have frozen the maximum amount a landlord could obtain for one year even under rent review. This bill also provided that the Residential Tenancy Commission would have the power to investigate such matters as the foreign takeover of rental accommodation. The government expressed absolutely no interest in it.

On October 14, and again today, I asked the Minister of Consumer and Commercial Relations to spell out exactly what his position is on the foreign takeover of rental accommodation in this province. The minister has failed to give us that position.

We have a crisis. The crisis is the result of long-standing inaction by this government dealing with the very specific issue addressed in the motion. We need an emergency debate at this time. The public has a right to know what this government's position is on the foreign takeover of rental accommodation in this province.

Hon. Mr. Elgie: Mr. Speaker, I find it difficult to believe there is anything in what the Leader of the Opposition or the member for Etobicoke has said that would warrant you to reach the conclusion that an emergency debate on this issue is required.

The Leader of the Opposition has pointed to the need to address ourselves to the housing shortage in the province. I remind him that it is this Minister of Municipal Affairs and Housing who has endeavoured to address those issues, as the member knows very well, probably more innovatively than anybody else in the country and certainly more successfully than anybody else in the country.

The rental construction loan program has resulted in some 16,000 units being approved. There are some 6,000 in Metro: 2,000 already available, with the other 4,000 under way. I think that is a legitimate response to some of the problems facing us in the housing market. That does not mean there are not continuing problems, but I think it is fair to say this minister is endeavouring to address them in appropriate ways.

I might also remind the member that the renter-buy program, which aims at freeing some rental accommodation, has been very successful to date. There have been some 7,000 applications to date, likely all approved, half of them in Metro and half of them from renters. That will free further units in this city. We have an innovative and creative response to the housing-shortage problem in this city.

On the other hand, we have a federal government that promised 10,000 units in this province, of which 6,000 were to be for Metro. I have to tell the member it is not living up to that commitment. To date it has had only 3,000 applications and 1,300 have qualified for assistance.

The minister of housing has continued to press the federal government in areas the member and I happen to agree on, to free more money for nonprofit and co-operative housing, because, as the member does and as members of that party do, we see that as a very important aspect of the whole problem.

The other issue the member raised was that of rent control and the sale of property. We both know that rent control was put into place because of our mutual concern about exorbitant increases. We agreed, as a parliament, that a six per cent guideline with a pass-through of costs seemed to be a reasonable approach. It is clearly on the record that the member has supported that principle, in spite of the fact that a previous Housing critic and another member felt the six per cent guideline should be raised, and in spite of the fact that one member of that party feels it is economic insanity and a social necessity, admittedly, to be in this area.

With the co-operation of the House, we have endeavoured to put in place a system that treats tenants and landlords fairly. By and large, I think it has served the tenants of this province well. Even last year, 17 per cent of units went to rent review with an average increase of something in the neighbourhood of 14 to 16 per cent. So, by and large, the majority of tenants have been served well by this rent review system. That does not mean it is a system that must always be the same. As minister, I am always open to reviewing certain aspects of it.

The particular issue the member has raised is one of the purchase of a property in this province. There have been many properties purchased over the years, but the thing that concerns us all is that it affects a large number of people. I can understand their concern just as I can understand the impact of interest rates on all people, whether they are in business, are municipal property owners or, indeed, are tenants and landlords. What we have to have is a continuing rent protection program that is responsive to everybody's needs. I like to think that is the kind of system we all put in place together and, if it needs to be reviewed from time to time, I shall review it.

I do not know what the member is suggesting with respect to the Greymac-Cadillac Fairview purchase. To my mind, Cadillac has always been looked upon as an exemplary landlord, and I see no reason to suggest that Greymac may not be the same. I do have some concern about efforts to interfere with the sale of property, as I am sure the member for Waterloo North (Mr. Epp) had when he introduced a resolution calling for this House to ask for an amendment to the Canadian Charter of Rights calling for the protection of the enjoinment of property and freedom of disposition of that property.

I think the Leader of the Opposition should make sure his party is on side with all the things it is proposing in this House. I do not see that there are grounds here for an emergency debate.

Mr. Speaker: I listened very carefully and with great interest to the arguments put forward by the representatives of the three parties. I might remind all honourable members that my responsibility is only to find whether the motion is in order, as indeed I do. Therefore, the question before the House is whether the debate shall proceed.

4 p.m.

The House divided on the question, "shall the debate proceed?" which was negatived on the following vote:

Ayes

Allen, Boudria, Bradley, Breaugh, Breithaupt, Bryden, Cassidy, Charlton, Conway, Cooke, Copps, Di Santo, Edighoffer, Elston, Epp, Foulds, Grande, Johnston, R. F., Kerrio, Lupusella, Mackenzie, Martel, McClellan, McEwen, McGuigan, McKessock, Miller, G. I.;

Newman, Nixon, Peterson, Philip, Reed, J. A., Reid, T. P., Renwick, Riddell, Roy, Ruprecht, Ruston, Samis, Spensieri, Swart, Sweeney, Van Horne, Wildman, Worton, Wrye.

Nays

Andrewes, Ashe, Barlow, Bennett, Bernier, Birch, Brandt, Cousens, Cureatz, Davis, Dean, Eaton, Elgie, Eves, Fish, Gordon, Gregory, Grossman, Harris, Havrot, Henderson, Hennessy, Hodgson, Johnson, J. M., Kells, Kennedy, Kerr, Kolyn, Lane, Leluk;

MacQuarrie, McCaffrey, McCague, McNeil, Miller, F. S., Mitchell, Norton, Piché, Pollock, Pope, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Shymko, Stephenson, B. M., Stevenson, K. R., Taylor, G. W., Timbrell, Treleaven, Villeneuve, Walker, Watson, Welch, Wells, Williams, Wiseman, Yakabuski.

Ayes 46; nays 60.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, before the orders of the day I would like to table the answers to questions 108, 159, 174, 244, 256, 269

to 271, 277, 281, 493, 540 and 541, and the interim answers to questions 235, 264 to 268, 278, 279, 283 to 286, 288 to 293, 295 to 297, 300, 301, 305, 306, 308, 309, 312 to 485, 489 to 492, 502 to 508, 513 to 517, 519 to 528, 530 to 534 and 537, all of these standing on the Notice Paper [see Hansard for Friday, October 29].

RESPONSE TO PETITION

Hon. Mr. Wells: Mr. Speaker, I wish to table the response to a petition presented to the House, sessional paper 178 [see Hansard for Friday, October 29].

ORDERS OF THE DAY

MALVERN WASTE REMOVAL ACT
(continued)

Resuming the adjourned debate on the motion for second reading of Bill 174, An Act to provide for the Removal of Certain Waste from the Malvern Area.

Mr. Elston: Mr. Speaker, I rise today to address a number of comments to this particular bill and the manner in which it has been brought before the House.

I recall the words of advice that the Minister of Intergovernmental Affairs (Mr. Wells) directed to the members opposite with respect to his concern that we not become members of the obstructionist group that is holding up the transfer of this soil out of the Malvern area. I cannot in all conscience speak to this bill and not voice our concerns about it, and I do not think Her Majesty's loyal opposition can be threatened into resignation over the passage of this bill. I have several concerns which force me to rise, and I want to start by saying a great number of them have to do with the environmental process which has been developed in this province over the last several years.

4:10 p.m.

Let me preface my remarks with an acknowledgement that most of the material which the Minister of Intergovernmental Affairs provided to us the other evening fits well with the material we received as background information about the site itself. I think all members share with him the great concern about the health and wellbeing of the residents of that area and we support the idea that their dilemma has to be solved in some manner.

We may even reflect upon the remarks of the Minister of the Environment (Mr. Norton), who in his own capable way summed up the whole dilemma in which the government finds itself vis-à-vis the question of the effects on the health of individuals who reside there. At the time he made his comments in question period, he may have been commenting with respect to the health and concerns of the Minister of Intergovernmental Affairs at the same time.

A long time has passed since these deposits of soil were placed on the 10-acre farm around that site, which was eventually purchased by Ontario Housing Corp. and brought in to provide some of the housing in Metropolitan Toronto, about which there is now no real problem as the vote has just displayed in this House. We would not debate the question about whether or not the soil has to be moved. That question has already been answered by the Minister of Intergovernmental Affairs in his remarks.

The part that concerns us most is that the process under this bill will remove the problem from the area in Malvern without due consideration for those people living in the area to which the soil is to be carted. There is nothing in this bill that provides those people with an opportunity to address their concerns about this material being taken to their location. The one provision, section 7, speaks about the acts that do not apply. One of those is the Environmental Assessment Act, another is the Planning Act, and so on.

It seems to me that as soon as one gets away from going through the processes set up by this government over a long time, one is subverting the whole system of determining what and where certain things are done in the province. The whole idea behind the Environmental Assessment Act is so people can be assured the deposit of certain materials and projects is going to be safe, in concert and union with the environment which exists around it. The Planning Act is designed to make sure people are well aware of how the land is to be designated, what it is to be used for and in what manner they will be able to plan the orderly construction and development of the raw land that individuals own in the province.

A number of items surprise me a certain amount. Perhaps I will take that back and say maybe it does not surprise us so much when we consider the action of the current government with respect to this matter and others that have gone before. To this point, I think it is clear to anyone who has watched the developments at Malvern over the last several years that it has been a bit of a hot potato in more than one way with the Minister of Intergovernmental Affairs.

He certainly has not been able to take deci-

sive action on it and he has not developed an attitude of coming to the citizens and discussing the matter in any orderly or helpful way with the individuals who are most concerned. We have several quotes from meetings the minister has had with people from Beare Road, for instance, who are concerned about their backyards, as others would like to be.

Mr. Conway: Do you mean to say that having a government member, to say nothing of a government minister, does not get immediate action?

Mr. Elston: I think there is an appropriate comment. The appropriate action is not always taken as quickly as it might well have been. We have noticed the minister has suggested Beare Road as one possible location and the ridings of Hastings-Peterborough and Dufferin-Simcoe as others, all with government members.

Then we noticed that as a result of all this, a proposal by the minister suggested the Premier (Mr. Davis) write a letter to Ottawa suggesting Chalk River be opened up for the reception of this soil. That riding is represented by a member of our caucus. We all know it was not long ago when, dealing with a problem similar to this at Port Hope, the Chalk River site was opened up for 400,000 tons of soil with the concurrence and aid of the member. Now it seems the government is again looking for somebody outside its own caucus to accept the waste from Malvern.

The problem is it is not telling any of us where that site is going to be. Somehow it is going to be able to designate it without the operation of public input from the citizens who may well be affected by this. It will merely accept the consent of the owner and occupier of the site as the prime determinant and no one will have a chance to look into the environmental and safety aspects of this deposit.

Not only that, we are not even sure this resting site which is to be designated by the Lieutenant Governor in Council will be the final site. There is no telling how often, or to how many locations, this waste will be moved before it finds its final resting place. With a bill like this, we cannot support that sort of running around the province.

We notice there has been a great deal of delay in finding a site. I know the Minister of the Environment had hoped he would have something before we came back here in the fall. So far, under questioning, we have not yet been advised whether there is a site in mind, several sites in mind or whether there is any location at all the minister has in mind to place this material. I rather think, and I guess we confirmed it as late as October 18, that the Minister of the Environment's office had no comment to make with respect to the sites under consideration.

It seems to me at this late date, having had the bill introduced in July, there should have been more specific and precise information available as to where the government is going to cart this stuff if it is going to move it in line with the promise of the Minister of Intergovernmental Affairs, who I understand told his constituents it would be moved by the end of December. I feel there is indeed a site in the minds of the Minister of Intergovernmental Affairs and the Minister of the Environment. I think they ought to tell us.

4:20 p.m.

The question has been posed to those honourable ministers to let us know where this stuff is going. So far, they have not told us. All we know for sure is that once they decide where that site is, the only person who will really know about it until the trucks actually start rolling down the street is the owner/occupier who will have to consent to the designation. Upon that consent being obtained, the owner/occupier can accept this stuff. It does not matter under the guidelines of the bill whether the particular effects of this soil are going to be damaging to anybody around the outside of this property or not. There is no area where the public has access to find out about the effects of it.

It seems to me it could be going to the Beare Road landfill site, it could be at the low radiation disposal area at the Bruce nuclear power development in my riding, there could be a reopening of a site at Chalk River, or it could be in the backyard of almost any person who happens to be adjacent to a site purchased by someone whom the government might know would be willing to accept this stuff at a going price.

How do we know, as legislators, that the people of Ontario are going to be protected? We cannot trust government members as far as we can throw them. The problem is that we have put our trust as a province in the administrators of this province for nearly 40 years and we have come up with very serious problems. We have come up with ministries that react in a knee-jerk fashion to problems as they arise, and we cannot now put our trust in them to save the people who live in the area to which they are going to truck this soil. We cannot afford to.

Interjection.

Mr. Elston: The Minister of the Environment suggests I would not rather be in any other place, but I can assure him that after the next election I will be in that place—that is, over across the way. He might well be across here. Then we will see.

My concern is still great that we do not have any access to any sort of public hearing to determine what is going to happen. It is interesting to look at the comments of the Minister of Intergovernmental Affairs when he talks about this bill. When he originally started talking to the newspapers about what was going to happen, he made a couple of statements that were quoted in the Toronto Star. I quote from that article: "I am concerned with how we are going to dispose of the soil, but in the same vein"—and I add some emphasis to this—"I would not want to force it on anybody."

Here we have a piece of legislation that requires only the consent of an owner/occupier of a piece of land. We do not know where that land is, we do not know how the guidelines are going to be established for the disposal of this soil, we do not know whether there are going to be special facilities required by the Lieutenant Governor in Council. In fact, this bill does not give us any information as to how this stuff is going to be dealt with or where it is going to be dealt with. How can we as legislators support this kind of nonsense, this lack of planning, when we come to deal with this? We just cannot do it.

I want to give one more quote as to the open-mindedness of the Minister of Intergovernmental Affairs. He was speaking to a group from the Beare Road landfill site not long ago and he was being questioned about whether the site would be a licensed facility under part V of the Environmental Protection Act. The bill itself speaks to the point by saying no hearing will be required, and, therefore, it could be that we would end up having the material deposited there.

The citizens of the Beare Road area were quite concerned. They met with the minister on March 11, 1982, and when they asked him to discuss with them their concerns about the destination of the soil, this is what he said: "The radioactive soil on McClure Crescent is going to the Beare Road landfill site. What else would you like to discuss?"

That is what the minister said to that group of concerned citizens on March 11, but he will not come to this Legislature and tell us where he intends to deposit the soil and he will not tell us in the bill. Yet he stands on the other side and expects us to give him a blank cheque to move this stuff to wherever he wants. He says to us, "Trust us," and I say that is impossible. I would suggest even Morley Rosenberg would not trust that bunch any more. They certainly have not delivered what they promised him.

I have some concerns about other sections of the bill. It sets up the Minister of Intergovernmental Affairs as the issuer of certificates with respect to who is included in the program and who is not. Under subsection 2(2) of the bill, the minister may, in writing, consent to the extension of the time under which agreements can be entered into between the municipality of Scarborough and an individual citizen. There is nothing there that delineates the reasons or types of excuses that may be considered by the minister.

It again gives the minister a blank cheque. He can say to a particular person: "My good fellow, I think you have sinned against the provisions of this bill, but I will forgive you. Here is your written dispensation. You can now enter into an agreement with the municipality of Scarborough. We will tidy up your backyard." Or, if he does not happen to like the poor fellow, he can say, "My poor friend, you have not gained favour with me lately; therefore, I am afraid I am unable to grant you dispensation to enter into this agreement."

There is no indication here of what sort of guidelines he is to be using when deciding who can and who cannot enter into this agreement after the expiration of the six months. I do not really know why such a blank cheque has to be delivered. On top of not knowing where the material is going, we are now finding out that we do not know who is going to be involved in the program.

Under subsection 2(3), the borough of Scarborough may remove the Malvern waste and rehabilitate the property in the Malvern area in accordance with an agreement entered into under subsection 2(1). There is no indication there that a particular resident of McClure Crescent will get the same treatment as his neighbour. We do not know what sort of an agreement is going to be entered into with respect to renovations, but I presume it may depend a great deal on the leverage exerted by the residents. There is a great chance that there will be unequal treatment of individuals when it comes to renovation. I think we should spell out in this bill that there is to be equal treatment for all people in that area.

There are several sections on which I have questions in detail, but they may be answered later on when we get into looking at amendments for this bill. However, in section 4 of the bill we see the notation in the margin, "Consent to designation." It is not clear to me what is really meant by this. Subsection 4(1) reads, "The owner and the occupier of a place may consent to the designation of the place by the Lieutenant Governor in Council under this act." It does not say that he must consent before it is designated. In my opinion, that does not jibe with the type of statements made by the Minister of Intergovernmental Affairs.

4:30 p.m.

Subsection 4(2) reads, "The owner and the occupier of the place designated by the Lieutenant Governor in Council may receive and retain. . ." and he does that without any question of his own liability, any concern with respect to any environmental protection legislation or anything of the sort.

The point in the margin against section 5 is, "Designation of alternate place for delivery and retention." In its own fuzzy fashion, it seems to me that the government is—what will we say—trying to lead us astray a bit in this bill by not being as precise in language as is required.

Subsection 5(1), which is about the alternative place, reads, "The Lieutenant Governor in Council by order may designate a place to which the borough of Scarborough may transport the Malvern waste. . ." And subsection 5(2) says, "The Lieutenant Governor in Council shall not designate a place under subsection (1) unless the owner and the occupier of the place have consented to the designation."

I would like a detailed explanation from the Minister of Intergovernmental Affairs and maybe even some comments from the Minister of the Environment with respect to the dovetailing of those two sections. Exactly how are they going to pick out this designated area? What sort of guidelines will be imposed for the Lieutenant Governor to consider before he designates one place over another?

Is the prime consideration going to be environmental, as it should be? Is one of the prime considerations going to be financial? Is somebody going to offer a place to the government at a low cost? Is it going to be a government-owned facility? Is it going to be a facility owned by somebody from Metro Toronto? If that is the case, who is going to provide the consent for the depositing of this soil in the location if it is owned by a government body? Tell us, please, how we can now come to the government and place all our trust in its hands after the record it has developed over the last several years with respect to waste disposal sites in Ontario. The track record has not been reassuring.

If we then go to section 9, we would like to really find out exactly what is the meaning of the section with respect to the liability. I think it is worth a comment from the Minister of Intergovernmental Affairs as to the liability created by the removal. How far is the government going to go to right the damages done in good faith by the borough of Scarborough or the damages to anyone with respect to removal or deposit perhaps? What sort of liability will the government accept if damage is done to the people in the area to which this soil is to be removed? What provisions of compensation will be developed for them?

What is the government going to do for those people who have established their houses in an area which they knew was free from problems when they established there? How is the government going to win over their trust? Why should they trust the government when it established the housing project in this area without consideration of the difficulties which were going to develop later on?

I would like to comment on an area which is under section 10, where the Minister of Intergovernmental Affairs has a blank cheque under the provisions of this bill. The section reads:

"Upon the certificate of the Minister of Intergovernmental Affairs as to the amount of the actual and necessary expenses incurred by each of the borough of Scarborough, and the owner and occupier of a place designated by the Lieutenant Governor in Council under this act. . ." the amounts can be expended.

We have no idea how much money is to be associated or approved by the Minister of Intergovernmental Affairs. We have no idea of the criteria he is going to be using. Yet he comes to this Legislature to ask our blessing on this bill so that he may write a cheque in any amount he wishes for any person for whom he cares to write it. And he tells us that we really ought not to get in his way as he is walking merrily to and from the vault door of the local Ontario savings office to feed the expenses of the removal of this soil.

That is not proper. We have always felt a need to be able to review the expenditures under any program, and I do not think it is a good idea to appoint one particular minister to write the cheques under this particular piece of legisla-

tion. I am opposed to that, and I know there are others who are similarly opposed to that sort of blank cheque writing.

Mr. Speaker, we also have a comment to make on Bill 149, An Act to amend certain Acts respecting Regional Municipalities, which was sponsored by the Minister of Municipal Affairs and Housing (Mr. Bennett).

One of the explanatory notes of that bill said that in sections 3 and 9 there was a move to prevent any person or municipality outside the region from coming into an area and setting up a waste disposal site of any sort, which does not seem inconsistent with the hopes of a lot of people. They do not want a municipality from Toronto, for instance, going into Hamilton and dumping its refuse there, nor do they want the refuse from Timmins coming down to Barrie. It seems like a reasonable approach.

But under the provisions of this bill, that legislation does not matter. The bill sponsored by the Minister of Intergovernmental Affairs says:

"We do not care about any other legislation. We do not care about any environmental legislation, about any previous planning legislation. We do not care about any plans for orderly development that have been put forward by counties and regions in this province. We do not care about the blueprint for orderly development in Ontario that we developed several years ago and have since forgotten about.

"We do not care about anything. We will put this stuff from McClure Crescent wherever we like, because we will find a friend somewhere, some owner and occupier who will consent to our dropping this stuff there. And we will exclude that friend from any sort of public hearing or environmental assessment program that would aid those people who own land around him to find out if it is going to be safe."

That is what the Minister of Intergovernmental Affairs is going to do for the owner and occupier who says: "Please, Mr. Minister, bring it to my yard. And by the way, the certificate that you will issue to us for payment, I hope, will be large enough to satisfy our needs."

It does not seem right to me. And in view of all of the planning of orderly development for communities in this province, this bill certainly is not acceptable. It certainly is not acceptable, with respect to environmental planning, for this Legislature and for this province and for the minister to say, "Trust us." I am afraid that is not going to be enough for us.

We have great concern for the people of McClure Crescent in their problem. We know that the Minister of the Environment answered us very forthrightly when he said on October 19: "Mr. Speaker, if the member wants a simple and forthright answer," and of course, we always do, "I would still say to the best of my knowledge, from all medical evidence available, the soil is safe. I suppose the simple reason for moving it is to protect the mental health of the residents of Scarborough." I presume he also means the Minister of Intergovernmental Affairs.

Hon. Mr. Wells: The question is, do you agree with that or not? What is your opinion on that?

Mr. Nixon: Why should we have an opinion on what the Minister of the Environment himself has said about the mental health of your constituents?

Hon. Mr. Wells: Be a little forthright for a change.

4:40 p.m.

Mr. Elston: We have thought for some time that the Minister of Intergovernmental Affairs has been growing a little fuzzy on some of his points, and perhaps he has been exposed by his cabinet colleague to the point where it may be of some concern for his leadership hopes.

Hon. Mr. Norton: He is just being a responsible member.

Mr. Nixon: What are you being?

Hon. Mr. Wells: Let's hear what you would do with this.

Mr. Elston: Do you really want to know what we want to do with this? Like every other environmental issue, this is something the minister does not understand. We would put it under the provisions of the Environmental Assessment Act and the environmental procedures in place in this province.

My goodness, for years we have been holding up this stuff, the Environmental Protection Act and the Environmental Assessment Act, as the greatest thing for the environment of this province. It is the best in the world, we are told; the best in North America. And do you know something? Every time we come to an environmental issue we have an exemption of one sort or another or the minister comes up with a piece of legislation that he describes as a "trust me environmentally" piece of legislation.

What could be clearer than the main point we are making, namely, that we want wherever the government is going to dump this stuff to be subject to the procedures under the Environmental Assessment Act and the Environmental

Protection Act? What could be clearer than to let the people of this province know what they are going to do with the stuff and where they are going to dump it? That is the type of stuff we want the minister to be forthright about, with us and with the province; and if he cannot be, then there is no reason that he should come to us and ask our permission to move this stuff.

Hon. Mr. Wells: Name locations.

Mr. Elston: You tell us. You have it in mind. You have the blank cheque to move it. You know darned well that you know exactly where you are going to take it, and you are not going to tell us. That is not proper.

Every time those birds over there come in here and tell us they are all in favour of freedom of information, that they have all sorts of studies, that they want to let the people of Ontario know what they are doing, they can look back at this Malvern bill and languish under their own deceptions.

We do not think it is proper for the government to come here and ask for a blank cheque from the Legislature to determine who are going to be included in these agreements or whom they are going to allow to get into these agreements. We do not even know the sort of criteria they are going to use for remuneration for those people who accept. The whole thing smacks of a lack of planning, and we cannot put up with it.

This is great stuff. The Minister of Intergovernmental Affairs is setting up a fine little kingdom in which to operate. Unfortunately, I will not be a part of the setting up of this whole program, under which he has sole discretion over who does and who does not get assistance.

I have another question that is extremely important for those of us who have been following the development of this matter over the last couple of years. That is, on whether or not the Minister of Intergovernmental Affairs and the Minister of the Environment are familiar with the application for judicial review with respect to this particular bill. It seems to me that in some senses, if there were any hint that a judicial procedure was in the air about any issue the opposition wanted to talk about, someone on the other side would say: "It is sub judice. We certainly cannot talk about it now; we cannot let you have information. We cannot do this, we cannot do that."

Certainly that has not prevented the minister from forging ahead to push this stuff through the Legislature. It has not, in my opinion, stopped him at all. He seems to be bent on going ahead and moving this soil even before this application for judicial review is dealt with.

I want the two ministers to address this question and the problem about the judicial review application. I think it is a serious one and it really deals with the whole basis upon which this bill is drafted.

In case there is some misunderstanding or whatever, I want to be sure the two ministers understand what I am speaking about. It is a matter in the Supreme Court of Ontario, the Divisional Court, "In the matter of the Judicial Review Procedure Act, RSO, 1980, c. 224; and in the matter of part I, s. 7 of the Constitution Act, 1981; and in the matter of the Malvern Waste Removal Act, 1982. Between: East Rouge Residents Against the Local Dumping of Radioactive Waste, applicant, and Her Majesty the Queen in right of Ontario, respondent." It deals with several problems and I will go to part 3 of the application which deals with relief requested.

The Deputy Speaker: I guess this deals with the bill.

Mr. Elston: Certainly. It is the whole judicial review of whether the bill is constitutional and whether these guys have the power to do it. Does that not tell us something about the bill, Mr. Speaker?

The Deputy Speaker: I do not know. I am asking you. Convince me.

Mr. Elston: I am asking the minister to deal with a question that surrounds the very essence and being of this act. I want some information and I want to make sure he understands exactly what I am asking him to comment on.

Sometimes the people on the government side are confused by the number of documents that pass over their desks and they may not understand exactly to which document I am referring. I want to be very sure.

Hon. Mr. Wells: We understand all that.

Mr. Elston: He does understand?

Hon. Mr. Wells: Yes, we understand.

Mr. Elston: Then he will understand why we cannot just place our trust blindly in his hands.

I want him to comment with respect to this particular judicial review application which asks for an order: "(a) declaring the Malvern Waste Removal Act or any like legislation ultra vires of the Ontario Legislature; (b) declaring such legislation or any like legislation ultra vires as infringing section 7 of part I of the Constitution Act, 1981."

I will leave it at that because I think the Minister of Intergovernmental Affairs knows the issues there. If he would like, I can go

through this in detail and read the material which is set out here. I do not think that would be appropriate or helpful at this point.

In his remarks when the minister is dealing with this bill, I would like him to address his concerns about this piece of court work and tell us how he is going to deal with this. I think we require an undertaking that this judicial review will proceed prior to there being any movement of this material. Because if the Minister of Intergovernmental Affairs wants to move all this soil before the judicial review is held, his purpose will have been an end run around the legal procedures of this province. Of course, the Minister of Intergovernmental Affairs would not want to be seen getting around the letter of the law.

I think this issue is an important one to be dealt with prior to—

Hon. Mr. Pope: Of course, that process would not be doing the same thing with appeals to the Court of Appeal of Ontario and the Supreme Court of Canada.

Mr. Elston: This one? Well, there cannot be an appeal to those bodies until there is an act of some court somewhere.

Hon. Mr. Pope: So you have an appeal.

Mr. Elston: Once one gets the process; one has to start it with something. This has started it and I want to know that the Minister of Intergovernmental Affairs is going to provide us with his undertaking to let this be spoken to and decided before he uses it.

Hon. Mr. Pope: So the Liberal position is you want the soil to stay there?

Mr. Elston: No, we want to be sure all environmental concerns are met before it is moved.

Hon. Mr. Pope: No, that is your position because it will take two years to get to the Supreme Court of Canada. Now we know the Liberal Party's position is clear.

Mr. Elston: The Minister of Intergovernmental Affairs—

The Deputy Speaker: I would like to remind the member to try to avoid the interjections, provocative as they are.

Hon. Mr. Pope: You are twisting things when you are telling me that. Now we know what the Liberal policy is.

Mr. Elston: While the Minister of Natural Resources is involved in a game of twist and shout, I will go forward with an explanation of our concerns.

The Deputy Speaker: Please do.

Mr. Elston: What we really want is to be sure that all the environmental concerns are met before this stuff is dumped on somebody else, because then it does not become the problem of the Minister of Intergovernmental Affairs any more; it becomes the problem of some other member. It seems to me that is not going to be of much assistance to most of the members in this House.

4:50 p.m.

For one member to provide himself with a blank cheque to move the stuff wherever he would like it to be moved, to some friend's place or whatever, is not an acceptable way of dealing with the problem. We have the legislation to deal with the problem effectively. At least, we are told that the process under the environmental laws works as well as anywhere in the world. Why do we not use it?

What is the rush now, when this soil has been there for so many years? It seems to me a long time has passed since this first became a timely topic in Scarborough, way back in 1980, and probably even before then. All of a sudden in the fall of 1982, the Minister of Intergovernmental Affairs says: "I am going to move that. I am not telling you where. I am not going to tell you how much it is going to cost or how I will determine who is going to get on the list of the agreement. Trust me."

We cannot support such legislation until it is substantially tightened up. It must be tightened up before we will give it our blessing. We would also like the minister to explain to us how the Malvern bill dovetails with Bill 149, which I spoke about earlier, in regard to the aims of those regional areas that are set out in the explanatory notes and throughout the bill. Those are the basic concerns I have with respect to the bill.

We would like to see the material moved, there is no question about that, but we cannot have it dumped on just any place in the province. If the minister will respond in a forthright manner to the questions I have asked him, perhaps we will be able to make some amendments that will allow the type of public input our party requires in environmental issues. Probably we can defuse a very difficult situation for those people who have a feeling that they are on the list of likely places to which this material is to be sent.

We cannot support the bill until such time as we have been given the details in a number of areas and have also been given environmental assurances from the Ministry of Intergovernmental Affairs.

Mr. Charlton: Mr. Speaker, on behalf of my caucus, I rise to oppose Bill 174. I want to make very clear at the outset that our opposition to the bill is not an opposition to the very speedy removal of the soil from McClure Crescent.

The Minister of Intergovernmental Affairs, the member for Scarborough North, has introduced this bill, not the Minister of the Environment. I fully and clearly understand the minister's concern for the people on McClure Crescent and his wish to get that soil out as quickly as posssible. I fully understand his feelings of frustration in trying to represent and protect his constituents. In many ways it is very much like the not-in-my-backyard syndrome that his colleague the Minister of the Environment complains about so bitterly all the time.

The reality is that every community has the right, and every representative of a community has the right to fight in whatever way is necessary to represent and, more specifically, to protect the community. I do not fault the Minister of Intergovernmental Affairs for this bill. As a representative of a community, he is using the only tactic he could see available to him to represent fully the needs of those people.

On the other hand, I fault some of the comments he has made during the course of the debate on this bill. Last week he suggested that those who oppose this bill also oppose the residents of McClure Crescent and the prospect of getting that soil out of there; that by opposing this bill we would be obstructing the removal of that soil.

I want to tell you, Mr. Speaker, in as clear terms as I can, that the second biggest single obstruction to the removal of that soil from McClure Crescent—aside from the Atomic Energy Control Board—has been the incompetence of this government in its handling of the whole matter: specifically, the inability of our Minister of the Environment to understand the power and authority he has to represent the people of the province, and the tools he has to use.

The member for Scarborough North, in his opening statement, ran through the history of the Malvern soil situation in order to help members understand why this bill had become necessary. He ran through that sequence of events very accurately in chronological terms. However, there were a number of incidents and substantial amounts of information which he omitted along the way, so that he left an incorrect impression with the members who were listening to his opening remarks.

He correctly identified the timing of the discovery of the problem. Unfortunately, he forgot to state that although this government was aware of the contamination because of the Malvern survey made in 1975, it did absolutely nothing about it.

Mr. Elston: It was not an election issue.

Mr. Charlton: It was not an election issue. To them, it was not an issue of any kind. Now, seven years later, they are attempting to tell us that we have to ram through this legislation, which exempts half a dozen pieces of existing legislation passed by this majority government, in order to protect us from doing things as we have done them in the past; to protect us from making inappropriate decisions and later on having to come back to clean up messes which should never have existed. They are asking us to exempt those very important pieces of legislation which they themselves put in place.

For five years, this government took no action on the knowledge it had about the contamination that survey revealed. Since the time it was determined in December 1980 or January 1981, whenever the testing was completed in the survey, until the present, this government has flubbed a dozen opportunities to move the soil out of that area in full compliance with the laws it is now trying to exempt.

The member for Scarborough North very accurately set out that the first proposal by the AECB—not by this government but by the AECB—to get the soil out of Scarborough was to move it to Bancroft and to use it to cover tailings piles at the Madawaska uranium mines.

I see that the member for Hastings-Peterborough (Mr. Pollock) is here and I am glad, because I am going to make some comments about what the member for Scarborough North said. He said that the people of Bancroft, the people of Hastings-Peterborough, absolutely rejected the idea of moving that soil to Bancroft, to the Madawaska mine site. In reality, that is not what the people of Bancroft said at all.

5 p.m.

The people of Bancroft said a number of things. I attended a rather large public meeting in Bancroft. So did the member for Hastings-Peterborough. Since it is his constituency, I hope he was there—yes, he was. That was a very angry meeting, but it did not reject in absolute terms the removal of that soil from Scarborough to Bancroft. The people at the meeting rejected doing that without an environmental assessment. They objected to that happening unless

they could clearly see that it was going to improve the situation of the tailing piles and not just hide it, because there are problems already with the tailings at that mine site.

They did not want a precedent. They wanted absolute assurance that if this soil went there, it would not set a precedent for further dumping there. They wanted a full environmental assessment so they could be sure it would improve the situation of the tailing piles and not make it worse or just hide it.

Some of the residents, although they did not like the idea of spreading the soil over the tailing piles, actually were quoted in the press—and I stood there while they were being interviewed—as suggesting that perhaps the soil could have gone down some of the abandoned mine shafts and they would have no objection to that. Unfortunately, this government was not listening to what was going on at the Bancroft meeting—

Hon. Mr. Norton: You are totally confused or else you are trying to rewrite history to suit your own ends.

Mr. Charlton: I am not trying to rewrite any history. The minister was not there. I was there.

Hon. Mr. Norton: Yes, you are.

Mr. Charlton: No, I am not. I even wrote a letter to the minister immediately after that meeting, laying it out for him. He sent me a letter, saying: "Don't oppose the removal of the soil to Bancroft. Don't be irresponsible." Two weeks later the Premier (Mr. Davis) was opposing the removal of the soil to Bancroft—the Premier, not me. I opposed it first, but he followed suit when he saw the reality of the folly of what the minister was doing.

I want to tell members about the incompetence of this minister who is interjecting.

The Deputy Speaker: In relation to the bill?

Mr. Charlton: In relation to this bill. This minister stood in his place in this House and told the people of this assembly and the people of Bancroft that he had no authority over the decision the Atomic Energy Control Board had made. I want to quote a staff member from the Premier's office who said, "The final decision on where the soil rests will ultimately be made by a federal task force on radioactive waste disposal and radioactive contamination." That is from the Premier's office.

We talked to the chairman of that task force. I want to take a moment to relate what that gentleman had to say to us. He is Mr. Roger Eaton, the head of the remedial action section of the AECB and chairman of the task force. There are 20 agencies represented on that task force, besides the AECB, the federal government and three provincial governments.

Mr. R. F. Johnston: Is Ontario one of them?

Mr. Charlton: Ontario is one of the three, and it is represented by three representatives of three different ministries, one of them being a Mr. Brad Drowley from the Ministry of the Environment.

Mr. Eaton, the chairman of that committee, told us in a rather lengthy discussion, "Yes, this task force will make the final decision." That is what he said. He agreed with the Premier's office that the task force would make the final decision. But he said, "I cannot tell you how that decision will go, because this task force has always operated on the principle of unanimous consent."

It has always seemed to me that unanimous means all, a total. Mr. Speaker, when you ask for the unanimous consent of the House to change the rules, if anyone objects you do not have unanimous consent. The same is true for the federal task force. To have unanimous consent to approve the removal of that soil to Bancroft, the task force would have to have had the consent of the three Ontario delegates to that task force.

This provincial government, this Minister of the Environment, had the clear authority to stop the whole proposal. In addition to that, what the people of Bancroft were basically demanding was nothing more than a full environmental assessment of the proposal so they could be reassured that it would improve the situation and not make it worse.

Hon. Mr. Norton: On a point of order, Mr. Speaker: I do not know what conversations the honourable member has had with Mr. Eaton or with anyone else, but I think it is important that he make it clear to the House that the task force has no statutory or constitutional authority to be making any such decision. At best, it could make a recommendation to the Atomic Energy Control Board, which does have the constitutional responsibility. It is as simple and straightforward as that.

Mr. Charlton: Mr. Speaker, again I have to disagree with the minister. The Premier's office disagrees with the minister. The task force disagrees with the minister. The chairman of the task force, Mr. Eaton, told us the task force would make the final decision. The Premier's office told us publicly that the task force would

make the final decision. Why does the minister disagree with the Premier? Why does the minister disagree with the chairman of the task force?

Interjection.

The Acting Speaker (Mr. Cousens): Order.

Mr. R. F. Johnston: The minister should stop attacking the Premier. It is unseemly for him to attack the Premier in the House. He is not here to defend himself; he is helpless.

Mr. Samis: The minister is out of order, right. He should stop interfering. The minister should settle down.

The Acting Speaker: Order.

Mr. Charlton: It is about time the Minister of the Environment did something about finding out what authority he has and what authority he does not have.

Interjection.

The Acting Speaker: Order. There is no need for this dialogue back and forth across the floor.

Mr. Samis: Throw the minister out, Mr. Speaker. He is a very provocative minister. He is long-winded and provocative.

Mr. Charlton: We asked the minister a number of times in the House about the environmental assessment, and he said he had no authority to impose one. The reality is that he could have instructed his representative on that task force to go to the task force and say, "We will oppose the proposal to move the soil to Bancroft unless the Atomic Energy Control Board is prepared to submit it to an environmental assessment."

We have the absolute assurance of the task force chairman that the proposal would not have been approved without unanimous consent. If Ontario had opposed the proposal, it would not have been approved.

If this ministry had the interest to investigate the procedures it had to follow before that movement of soil could occur, if it had taken the time to intervene in the process and to suggest that it go through an environmental assessment to satisfy the local concerns, then it is very likely the situation would have been resolved. An environmental assessment of the proposal would also have had to look at alternatives such as moving the soil to the mine shaft or moving it to an already licensed site in the province. If that had been done, the soil would already have been moved out of Scarborough, out of the Malvern area and off McClure Crescent.

We went through the same thing when the AECB proposed Base Borden. The Ministry of the Environment in Ontario kept its hands off the whole issue.

5:10 p.m.

In the course of his opening remarks, the member for Scarborough North mentioned the Beare Road proposal. I spoke to a number of people from the Rouge River group who were opposing the Beare Road proposal. Their opposition to the Beare Road proposal was based largely on the fact that this government would give them no assurances that there was a definite limit to the time that the soil would stay in the Beare Road site.

All this government had to do to get approval from that group was to say that the soil being moved to the Beare Road site would be moved there for a maximum of three years or a maximum of five years and then it would be removed to a new location.

Hon. Mr. Wells: If we put that in the bill, will you vote for it?

Mr. Charlton: I say to the minister, give us a site, give us a time, and we will consider it. If he cannot give us a site or a time, we will not consider anything.

Mr. Samis: How can he refuse an offer like that?

Mr. Charlton: If the minister uses the figures I have just quoted, I will accept it. If they are any other figures, I will have to look at them.

Hon. Mr. Norton: You'd be frightened of all the people running after you.

The Acting Speaker: Order.

Mr. Charlton: At any rate, they are not listening to the people who are opposing them, nor are they going out and talking to the people who are opposing them; so they do not know what those people are saying. They do not know now, and they have not known right through the process, because they are not listening to anybody.

During the course of a conversation last week with the member for Scarborough North, I suggested to him that the easiest and quickest way to deal with this situation without having to pass this bill and without having to exempt some fairly major pieces of legislation was, as my colleague mentioned in his speech previously, to consider moving the soil from McClure Crescent to the Bruce nuclear site, which is already licensed for the storage of low-level radioactive waste.

The response of the minister to me was: "No. They don't want it. Ontario Hydro doesn't want

the soil." They are a licensed handler of low-level radioactive waste, yet they do not want the soil.

Hon. Mr. Norton: Who said that?

Mr. Charlton: The member for Scarborough North said that.

This government claims it runs Ontario Hydro. It claims Ontario Hydro does what this government tells it to do. Surely then Ontario Hydro, which already operates a licensed site for the storage of low-level radioactive waste, could be compelled by this government to accept it. But no, Ontario Hydro says, "We don't want it." As a result, the government changes its mind about that as a potential site and brings in a bill that is going to force the waste on some community, somewhere; we do not know which community that is.

Communities no longer have the right to say no. But Ontario Hydro, which already operates a site for the storage of low-level radioactive waste, has the right to say "No." Communities with people living in them do not have the right to say "No," but Ontario Hydro can say "No."

That points to the wholly ludicrous way in which this government has approached trying to deal with the McClure Crescent contaminated soil situation. It speaks to the inappropriateness of this bill being here now. It speaks to the very essence of the government's commitment to environmental and other legislation in Ontario.

The member for Scarborough North sees this bill as one small exemption for soil that is not all that dangerous. He sees it as one small exemption under the Environmental Protection Act, the Environmental Assessment Act, the Municipal Act, the Planning Act and whatever other act happens to be affected by this whole process.

He sees it as one small exemption in an effort to try to protect his community. I can understand that, as an individual member representing a constituency; I can understand his feelings as a representative. But the reality is that it is not one little exemption; it is one in an ever-growing list of exemptions to these major pieces of legislation.

This bill, as an addition to that list, is making the legislation we are exempting here almost irrelevant because the exemptions are becoming the rule instead of the exception. There are more exemptions occurring than there are applications of those pieces of legislation. The result is that every additional piece of legislation we allow to exempt certain projects, no matter how small or large they happen to be, further weakens that legislation and its ability to protect the residents of Ontario from the kind of stupid environmental mistakes we have made in the past.

We know about some of the mistakes that have happened in this country, and we have read about the ones that have happened in other countries. We have gone through the debate on Stouffville, and the one on the effects of Love Canal, Hyde Park and other such dump sites on the Niagara River and Lake Ontario. Yet we continue to exempt specific situations in Ontario from the very legislation that was intended to protect us from similar events in the future.

There are a number of other members who would like to speak to this bill; so I will wind up fairly soon.

In the initial stages this government did not want to have anything to do with the Malvern soil. They said that it was a federal responsibility and that the Atomic Energy Control Board was going to deal with it. Now they are attempting to deal with it because the AECB has backed out. There is no question that they have a right to be angry with and to lay the fault at the door of the AECB, because that board acted just as irresponsibly as this government is acting in the whole process.

The AECB, in every instance of involvement—at Bancroft, at Borden—did not listen to local residents and tried to impose its will without hearings. This government went along with them instead of trying to find out how they could intervene on behalf of the people of McClure Crescent, the people of Bancroft, the people of Borden and the people who are opposed to moving the soil to the Beare Road site. They did not bother to listen to those people or to understand their concerns, and they did not bother to find out that they had the authority to intervene.

Now, two years after the fact, we in this Legislature are being asked to approve a bill that exempts everything in sight so they can take this soil from McClure Crescent and move it to a site they will not identify. Under terms they will not identify, they want to impose that soil on some unsuspecting community.

5:20 p.m.

I go back to what I was saying earlier about Ontario Hydro and the Bruce site. Ontario Hydro has a site that is already licensed for the storage of low-level radioactive waste. The Ontario government owns and claims to control Ontario Hydro. Ontario Hydro should have no more right to say "No" than the people in the

Rouge Valley, Borden, Bancroft or whatever other community they have in mind as a result of this bill.

For once I think I agree with the member for Huron-Bruce when he says that this bill is here and the member for Scarborough North has made comments to the people of McClure Crescent that the soil will be out of there before the end of December because they do have a site in mind. They may have more than one in mind, but they did not bring this bill in with nothing in mind; that is certain.

At any rate, there is no point in this bill. It serves no useful purpose. We already have a licensed site where the soil can go. The minister made a very true comment to me last week that it does not matter what other location they propose or whether they give the people in that community a legal way to oppose the removal of the soil there, because no matter what community he proposes to move this to, the local people will oppose it. They will oppose it much more vigorously and angrily because they have no right to oppose it than they would if they were given a clear way through a hearing process of legitimately having hearings and coming to a conclusion about whether the proposal is good or bad.

In all cases where people are told they have no right to oppose, as in the Bancroft case where the Atomic Energy Control Board said, "We are supreme; you do not have the right to hearings or to object," that is when they object with absolute, maximum fervour. That is something the member for Scarborough North has to think about. The Bancroft and Borden situations, and the legal actions in Borden, came about because those people were told they had no rights.

If this minister was standing up in this House now and saying to us, "We are going to move the soil to the Bruce nuclear site temporarily, propose an eventual site for its permanent disposal and subject that proposal to a full environmental assessment," he would not find the reaction he is getting here today, but a useful reaction from the opposition parties.

He would also likely find a lot less vigorous opposition from whatever community that eventual site happened to be in, because it would then know it had the full right to sit down and prepare for an environmental assessment hearing, it would have expert witnesses and it would have the right to cross-examine and ask questions about this possibility and that possibility in terms of possible damage to the local environment.

The minute this government takes the approach it is taking in this bill—an absolute denial of rights and a refusal to allow the community to be heard and to express its views—the minister is guaranteeing maximum opposition to whatever proposal he makes; unless the minister really does not have any proposal in mind, which I doubt very much.

I would encourage the minister to think seriously about the remarks I have just made. Before the vote on second reading, he should think seriously about laying before this House the location or locations he has in mind and the proposals for those locations the Minister of the Environment is probably looking at right now.

Just to wrap up, this bill is totally unacceptable to this party. It is unacceptable because of what it will cause out there, somewhere in this province. It is unacceptable because it is an addition to an already almost endless list of exemptions which are rendering fairly good legislation impotent, and because it is an avoidance of this government's responsibility to deal fairly, fully, in an up-front fashion with not only the people of McClure Crescent but the people of whatever community this material will be moved to.

Mr. McGuigan: Mr. Speaker, I would like to voice my concern about the proposal to remove this soil to some unknown place. Of course we are concerned about the people who live in Malvern and about their safety. I resent being coerced into supporting the bill because of the position the government has taken in not giving us an answer to what is to be done with this soil and trying to say we are not in favour of the people in Malvern. I imagine it is rather demeaning for the government to even suggest such a thing. The Minister of Natural Resources (Mr. Pope) was trying to make that point a few minutes ago. I just want to express how much I resent that position.

The record of this party over several years is one of leadership in the environmental fields. It is one we are determined to maintain. When we look at the future of society, I believe that in spite of the item most of us would put as our number one danger, the threat of nuclear war, we have on both sides of that armaments race some rational people who are going to think very carefully before they embark on such a mission. This was illustrated when we celebrated the 20th anniversary of the Cuban missile crisis and saw reviews of that crisis. On both sides of that confrontation, people used their heads and avoided the end of the world.

The future will show that the greatest prob-

lem we have lies in the area of environmental degradation in the soil and the water. Part of that degradation is by the erosion of soil. The Minister of Intergovernmental Affairs is essentially saying, "Trust us." I probably speak for most of the members in this party in saying that if there is any minister over there we would trust it would be him, but he is not the Minister of the Environment.

I know from sad experience in my riding of Kent-Elgin, and I think I am expressing the opinions of the people I represent, that we do not trust that ministry. That ministry operated a landfill site in my riding for many years which the court declared was licensed under illegal circumstances. The residents of the township of Harwich, with some assistance from neighbouring municipalities and from citizens' groups, had to spend more than $400,000 to prove their point.

5:30 p.m.

The former minister came to us in Kent-Elgin, sort of cap in hand, in the fall of 1979 and said to the good people there: "You have a mess here in this landfill site. You already have something you do not like. The way to correct it is to take some more of it." But that kind of coercion did not work.

There are seven landfill sites which are still taking hazardous liquid industrial waste. I wonder if we are going to say to them: "You have a mess. We can make your mess even better by covering it up with radioactive soil." With a background of that sort, we can be forgiven for not having great trust in this situation.

I would think the Minister of Intergovernmental Affairs, with the great political experience he has, would have thought this thing out a little more and would have come to us with a better proposal.

The Minister of the Environment has repeatedly rejected requests from me and from Harwich for reimbursement in full or in part for the funds the ministry forced these people to spend in order to defend themselves. He even refused to see the representative of Harwich township. It strikes me as inconsistent for the government to assume the costs of acting on behalf of the citizens of Malvern, while the citizens of Harwich had to assume their costs themselves.

I hasten to add that even if at this time those costs were assumed, as they deserve to be, that would not change my attitude towards this bill, because I am not one who can be coerced into accepting a bad bill. It is a bad bill regardless of what other measures may be taken. Nevertheless, as I have said, the government's action in the two municipalities strikes me as inconsistent.

We acknowledge that the soil must be moved, as our critic the member for Huron-Bruce has indicated. We want to know where it is going and we want to know something about the process. While we would like to say to the member for Scarborough North, "Yes, we trust you," I think experience dictates that our actions be otherwise. Sadly, our experience compels us to reach other conclusions. In particular, I deplore the fact that the minister unhesitatingly assumes the costs in this case, while the Minister of the Environment refused even to talk to the people of Harwich, who have been grievously wronged.

I do not want to belabour the point. I join with all those able speakers who went before me and laid out the reasons they oppose this bill. I agree with them and I oppose it for the reasons I have outlined.

Ms. Bryden: Mr. Speaker, while we do not want to prolong discussion on this bill, I feel it is such extraordinary legislation that it is important to make the implications of it very clear.

Citizens view it as the role of government to be there to ensure that they have a safe and healthy environment and are protected from hazards, and that when potential hazards are drawn to the attention of the government it will not only investigate those hazards promptly and include help and environmental tests in that investigation, but will also make public the results of its investigations and will act promptly when potential hazards are confirmed or appear to be sufficiently confirmed to merit action; and that, erring on the side of caution, if there appears to be a hazard it is better to remove it than to wait for the final, technical definition or confirmation of the exact results of the hazard.

In the case of the McClure Crescent radioactive soil, the citizens of that area have found that this government has not fulfilled the role that most citizens expect of it. It has betrayed their faith that government will act when hazards are drawn to attention. They have had to engage in numerous demonstrations, marches, depositing pots of radioactive soil on the doorstep of the Legislature and other methods to try to get action. But the history of the two years since this problem was discovered has been a history of foot-dragging, buck-passing and failure by this government to come up with any plan for dealing with it.

I realize there are problems of jurisdiction and the federal government is also involved in the question of radioactive soil and in setting the standards for what is considered a dangerous

level of low-level radiation. But when we have a serious health hazard that appears to the residents to be endangering their own and their children's health, it seems to me we cannot wait for the niceties of settling jurisdictional problems.

The government that is the closest to the problem—in this case the Ministry of the Environment of Ontario—must act promptly and come up with a plan it can present to the Legislature with the appropriate details so that we know exactly what the government is proposing to do and what the implications and the approximate cost will be so that we can also vote on the amount we are being committed to.

The least we can do for the citizens of McClure Crescent is to get a prompt solution to their problem. It should have been done over the past two years. The government's response to it has been absolutely deplorable.

This is no response, because instead of providing us with a plan, with a place for safe, temporary storage, which is what is needed, and with an outline of what will be done to find suitable long-term storage, this bill simply wipes out all legislative provisions that might affect this solution and in effect destroys the whole process of environmental assessment, environmental review and public participation under the Environmental Assessment Act and the Environmental Protection Act.

It also wipes out all provisions regarding land use under the Planning Act. It eliminates the power of the Ontario Municipal Board to review and confirm or deny land use bylaws. It suspends the right of electors under section 149 of the Municipal Act to vote on borrowing bylaws affecting the disposal of the soil. It suspends any law or regulation that conflicts with this act.

In my opinion, subsection 7(3) is the most sweeping piece of legislation that has ever been introduced in this Legislature. To suspend any law or regulation that conflicts with this act simply means that the government is asking for a blank cheque without giving us any indication of what it will actually do. It could, under this clause, suspend laws regulating the transportation of hazardous substances on highways. That could be very serious in dealing with radioactive soil.

5:40 p.m.

Moreover, this bill sets aside the Legislature's power of the purse. We are not asked to vote a certain sum of money, or even a sum up to a certain amount, for this undertaking. We are simply asked to allow the government to spend whatever it wishes on the undertaking. There is no opportunity to scrutinize those expenditures in an estimates committee or even to ask questions about them. When he makes his concluding remarks, I hope the minister will give us more details on what costing he has done on various options that he may be looking at. That is the least that could be offered to us.

The minister may say, "What would you do if you did not accept this legislation?" In the first place, we would not tolerate a dangerous precedent of this sort because, in effect, the government has admitted it has no solution and is simply suspending the laws of this province when it admits that.

This bill may be contrary to the Charter of Rights because it also removes due process in land use and environmental decisions. In my opinion, that is the sort of precedent that cannot be allowed, even though we sympathize with the plight of the McClure Crescent residents and we want an immediate solution to their problem. We do not think this is a solution because it still indicates that the government does not yet have a temporary site and has no plans as to how to make the site completely safe.

It has no long-term plans for providing for the safe disposal of low-level radiation, nor has it worked out with the federal government proper standards for the levels of low-level radiation that could be allowed without danger to health. We are still working very much in the dark.

Subsection 2(3) indicates there is still room for further delay under this bill. The Minister of Intergovernmental Affairs can extend the six-month limit which is set in the bill for signing agreements with the property owners in Scarborough and for agreeing on a rehabilitation plan. In effect, this bill is no solution and it is no guarantee to the residents of McClure Crecent that there will be any action within the next six months. Therefore, I think even they may feel, if they look closely at it, this bill will not really end the dithering that has been going on in this field for so long.

We feel we must vote against a bill which sets such a dangerous precedent for suspending the laws of this land and giving a blank cheque to the government.

Mr. Pollock: Mr. Speaker, I rise to talk on this bill. I realize it is a government bill but there are certain things in it that I am opposed to. There have also been a few comments made here today that I feel are a little incorrect.

One of the things I want to mention in this bill is that it states it can move this soil any place and has no regard for the Environmental Protection

Act or the Planning Act. As a reeve of a rural municipality, I was involved in bringing into place the zoning bylaws of that municipality.

Of course that was a rural community. People got totally upset that the government was trying to tell them what to do with their land. We had to do a lot of toe-to-toe slugging to get zoning bylaws in place, so when they come along with this bill and totally ignore the Planning Act, I feel I cannot support the bill.

In the same respect, it overrides the Environmental Assessment Act for basically the same reasons. It also overrides the Municipal Act where one cannot even have a plebiscite in the municipality where this soil might be taken. One other thing: It goes on to say that it is protection from any legal liability. That is basically saying we do not have any faith in our legal system. I cannot accept that.

At the present time, there is a lawsuit between four residents of the Malvern subdivision and the borough of Scarborough. To make a decision on this bill at the present time would mean we were getting involved in that lawsuit. I feel we should not have this bill until that lawsuit is settled.

I realize this poses quite a problem for the member in that riding; I also acknowledge we have different opinions on how dangerous this soil is. The Minister of the Environment (Mr. Norton) has stood in his place and stated he feels this soil is safe. The medical officer of health for Scarborough claims the soil is safe. On the other hand, the mayor of Scarborough has gone on record saying he would not even allow this soil in Scarborough's dump.

Hon. Mr. Norton: But his council unanimously supported it.

Mr. Pollock: I see. Anyway, I suppose a lot of members think I am talking on this bill because I am afraid the soil is going to come to the Bancroft area. I certainly am concerned, but it could go anywhere.

While we are talking about this soil, I want to offer a rebuttal to what the member for Hamilton Mountain said. He claimed the residents of Bancroft did not want this soil up there simply because, I believe his comments were, it would override the Environmental Assessment Act. As long as it coincided with the Environmental Assessment Act and the Planning Act, they would accept it.

I would tell the member I brought a petition in here with over 1,200 names. I cannot remember the exact wording of that petition now, but the thrust of it was that they did not want it, period. There are at least 12 different viewpoints in that Bancroft area on what to do with the soil.

5:50 p.m.

I acknowledge the fact that the reeve of Bancroft—and the member for Cornwall (Mr. Samis) made this statement because he heard it on the radio, and I heard it on the radio at the same time—was agreeable to accepting the soil. Unfortunately, it was not in Bancroft that he would be accepting it. It was going into Faraday township so he was a little off base in that respect.

Mr. Samis: Pretty close.

Mr. Pollock: Pretty close, but about four miles out roughly.

Interjections.

Mr. Pollock: A few days ago, the member for Renfrew North (Mr. Conway) made reference to the closing of the mine and the plight of Father Maloney, to my comments and also to the position taken by the Ontario government in regard to keeping the Madawaska mine open. I was disappointed it did not keep that mine open. However, the Premier (Mr. Davis), the Minister of Energy (Mr. Welch) and the Minister of Natural Resources (Mr. Pope) met at different times with those delegations from Bancroft. They sat down and talked to them, looked them in the eye and said they had economic problems all over the world and all over Ontario.

The delegation from Bancroft wanted to stockpile uranium, but the Premier told them that McDonnell Douglas is in his riding. If uranium was stockpiled and the government went on record and supported it, McDonnell Douglas workers would want them to stockpile airplane parts; this would have a chain reaction all over the province.

Recently, though, there was an article in the Toronto Star stating that the US government was going to place an embargo on uranium that might come into that country from Canada. I checked this out and found, as I mentioned the other night, that one of the firms that is selling uranium to Ontario Hydro, or which got the bid from Ontario Hydro, is Key Lake Resources in Saskatchewan. Key Lake Resources is owned 50 per cent by a crown corporation of Saskatchewan, by a German firm and Eldorado Nuclear, which is a crown corporation of the federal government.

This article in the Toronto Star goes on to say that Eldorado Nuclear has bought out two more holdings in Saskatchewan, for a total price of

$400 million. These are rich deposits. Therefore, I am assuming that Eldorado Nuclear, a crown corporation of the federal government, is going to supply practically all the uranium to Ontario Hydro. We know the federal government controls all uranium shipments or exports in this country. Therefore, with Eldorado Nuclear Ltd. holding these rich deposits, and the federal government controlling it, Madawaska Mines has no chance of ever starting up again.

I will just take a minute and go over the whole situation there.

The Acting Speaker (Mr. Cousens): I trust the honourable member is tying his comments into Bill 174.

Mr. Pollock: It is all in the same ball park, Mr. Speaker.

The Acting Speaker: I am having difficulty in seeing how the member is tying it in.

Mr. Pollock: The member for Renfrew North involved Father Maloney. Father Maloney's big plight, and mine too, was that eventually the price of uranium would go up and the mine would come back on stream again. It is my hope that some day that will happen, but with Eldorado Nuclear holding these rich deposits in Saskatchewan, and the federal government having control over exports of uranium, there is very little chance that a small mine in the Bancroft area would ever get a piece of the market, even the world market.

The Acting Speaker: The member is not convincing me that this is tied into Bill 174.

Mr. Pollock: This is plus the fact that the mine closed down six months ahead of time because the Italian firm cancelled its contract with some up-front money to do that.

At some time in the future Madawaska Mines might have had a chance to sell more uranium—

The Acting Speaker: Will the member help the Speaker see how this ties into Bill 174?

Mr. Pollock: Just do not interrupt, Mr. Speaker. I will get around to it after a while.

The Acting Speaker: I am not going to give the member a long while.

Mr. Breaugh: The universe is unfolding.

Mr. R. F. Johnston: Some of these arguments take a little time to develop.

Mr. Pollock: That is for sure.

Mr. Conway: Unlike Clarke Rollins, this member speaks.

The Acting Speaker: Bill 174 is An Act to provide for the Removal of Certain Waste from the Malvern Area. We will now go to Malvern.

Mr. Pollock: We are talking about Madawaska Mines where the waste was slated to go at one time, Mr. Speaker.

Anyway, there is very little chance of Madawaska Mines ever starting up again. It was Father Maloney's hope, and mine too, that some day it might start up again. When the member for London Centre (Mr. Peterson) came up to the Bancroft area, the Bancroft Times stated that he made the statement, six weeks after the mine had closed down, that he would take a delegation to Ottawa.

The Acting Speaker: The member is trying the chair to the point where I will rule him out of order shortly. Will he please tie his comments into Bill 174?

Mr. Breaugh: He is talking about the site.

Mr. Pollock: That member for London Centre is a little like a rainbow. He showed up after the storm.

Mr. Cassidy: There is no site named in the bill, Mr. Speaker. Any part of the province is a potential site.

Mr. R. F. Johnston: I think he knows that Bancroft is the site.

Mr. Pollock: Those fellows are getting me confused.

Hon. Mr. Norton: They are persuading you that Bancroft is the site. Be careful.

Mr. Cassidy: You have just exceeded Clarke Rollins's entire lifetime record in the Legislature.

Mr. Pollock: Yes.

The House recessed at 5:59 p.m.

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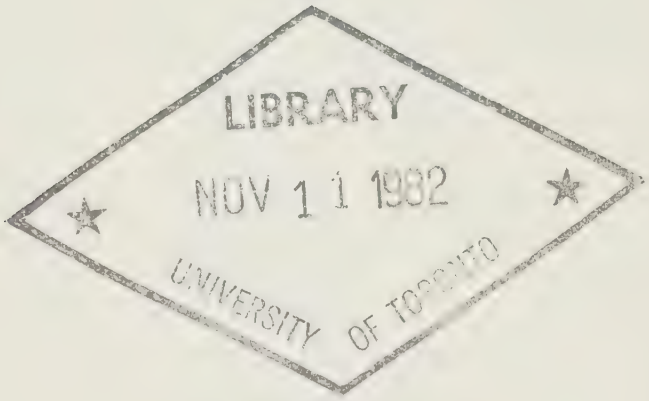
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Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Tuesday, October 26, 1982

The House resumed at 8 p.m.

MALVERN WASTE REMOVAL ACT
(continued)

Resuming the adjourned debate on the motion for second reading of Bill 174, An Act to provide for the Removal of Certain Waste from the Malvern Area.

Mr. Kennedy: Mr. Speaker, just before we start, I would ask the members to join me in welcoming the Mississauga South Progressive Conservative Women's Association.

Mr. Pollock: Mr. Speaker, I rise to proceed with the debate on Bill 174. I believe I left off with a reference to the member for London Centre (Mr. Peterson) having gone to the Bancroft area to tell the people there that he was going to lead a delegation to Ottawa to try to keep the mine open.

The Acting Speaker (Mr. Cousens): I caution the honourable member that we are talking about Bill 174, An Act to provide for the Removal of Certain Waste from the Malvern area. I have cautioned the member several times, and I warn him that should he not be speaking to the Bill 174, or seem not to be speaking very clearly to the subject, I will find it necessary to tell him to take his seat.

Mr. R. F. Johnston: On a point of order, Mr. Speaker: I feel absolutely compelled to rise and state that the honourable member has been trying to draw a connection between the Bancroft site, which was one of the sites chosen for the disposal of this waste, and the problems of the uranium industry in Bancroft, which of course has a great deal to do with radiation. I feel that the connection has been brilliantly made to this point, and I—

The Acting Speaker: I thank you for that point of order, but it is not a point of order.

Mr. Pollock: Mr. Speaker, I left off by referring to the member for London Centre having come up to my riding and saying he was going to lead a delegation to Ottawa to keep the mine open. Of course, the mine is where they were going to dump this contaminated soil from the Malvern subdivision.

Mr. Breaugh: See?

Mr. Pollock: Yes.

Mr. R. F. Johnston: Just let him finish the sentence.

Mr. Pollock: Anyway, now that that mine is closed, they will not be able to dump that soil there—at least, I hope they will not; I feel quite certain they will not.

When the member for London Centre went up there, he mentioned that the bridging program of the Minister of Natural Resources (Mr. Pope) did not relate to the mine. Those miners, he claimed, were used to working underground, not in the woods. So I would say to the member for London Centre that the bridging program was funded mostly by his colleagues in Ottawa, the federal government.

Basically that is about all I wanted to add, Mr. Speaker.

Mr. Nixon: Mr. Speaker, I am not sure whether the member for Hastings-Peterborough said he was going to oppose the bill.

Mr. R. F. Johnston: Yes, very clearly.

Mr. Nixon: So the member for Hastings-Peterborough is going to oppose the bill. And the Minister of the Environment (Mr. Norton) cannot be very strongly in support of it, because he indicated clearly in answer to a question about a week ago that this elaborate procedure brought to the House by the Minister of Intergovernmental Affairs (Mr. Wells) was simply to soothe the worried and troubled minds of the people in the Malvern area. Far be it from me to agree with him, but he is the Minister of the Environment and he sits at the left hand of the government House leader himself.

It looks as if the Minister of Intergovernmental Affairs once again is having a little difficulty drawing his supporters into line. I notice that the Minister of Intergovernmental Affairs, like his colleague the chief government whip (Mr. Gregory), is in the House tonight for some unknown reason. Quite often the chief government whip does not attend the House except when a vote is pending; so it appears to me that the member for Hastings-Peterborough is going to be moved farther back and farther to the right

if he votes against the government on this important bill.

I must say that this is a serious matter, and I know it is because the Minister of Intergovernmental Affairs is so concerned about it. There probably are not very many people who will read the record of this debate, but I certainly presume that every one of the good people who live in Malvern and who have been concerned for so long about the radiation in the soil in their backyards will read it. If they do, I want to assure them through Hansard of the continuing concern of their provincial member.

I work with the Minister of Intergovernmental Affairs fairly regularly, and he is normally unflappable; but this matter has flapped him, and he is doing his best to keep his supporters in line so that Bill 174 will pass second reading and this matter will not be further delayed. A succession of almost unbelievable delays has contributed to the state of mind of the residents who are concerned with this bill, a state of mind the Minister of the Environment has expressed his concern about on these several occasions.

I personally have to take the bill on its merits. I thought my colleague the member for Huron-Bruce (Mr. Elston) made an excellent presentation in leading off the debate on this bill for the official opposition, because it has been our concern that the government has set aside too readily the provisions of its own legislation that are designed to provide the kinds of safeguards for our citizens and our communities that have been put in place by all the members of the Legislature.

8:10 p.m.

I believe the Minister of Intergovernmental Affairs was Minister of Education in those years going back to 1974 and 1975, when these cornerstones of environmental protection were lowered into place by the government of the day, led by the same Premier (Mr. Davis) we have now. I well recall how those shored up the leaky dikes in the government policy, having to do with their inadequate response to environmental problems during the early 1970s.

Pollution Probe, headed by Dr. Chant himself, of such outstanding reputation, and environmental groups from right across the province had provided a report card on the Conservative government of Ontario and found them failing—absolutely F minus—in the provision of programs to safeguard the community.

Then we got the Environmental Assessment Act, the Environmental Protection Act and quite a panoply of leading, innovative legislative enactments; and these are now being set aside once again. I draw your attention, Mr. Speaker, to section 7, which reads as follows:

"7(1) The following do not apply in respect of the undertaking:

"1. The Environmental Assessment Act.

"2. The Planning Act.

"3. The regulations and bylaws made under or in relation to the acts mentioned in paragraphs 1 and 2.

"(2) Notwithstanding part V of the Environmental Protection Act, the director under the part is not required to hold a hearing or to consider submissions from persons other than the applicant for approval before exercising his powers under section 38 of that act."

It goes on to say:

"(3) No provision of any other act or of any regulation or bylaw applies or shall be applied so as to conflict with a provision of this act."

There is no way that we in the official opposition can support the bill that sets aside these statutes.

As a matter of fact, I was leading the official opposition in the election in which I was trying to replace the government in 1975, and I heard the Premier, the then Minister of the Environment and even the Minister of Education himself, in defending their rather shaky record, say that at least they had latterly brought in regulations and enactments that would protect our citizens.

Now they are to be set aside in a situation which the Minister of the Environment considers to be only of superficial importance and necessary only to protect the political reputation of the Minister of Intergovernmental Affairs, who is carrying this legislation.

The other absolutely unacceptable part is that there is no indication of where the radioactive waste will be dumped once they dig it out of the backyards of these 22 lots.

Members may recall that there was a strong move on the part of the previous Minister of the Environment to set up a solid waste dump in that part of southwestern Ontario right along Lake Erie at South Cayuga.

There is no reason to believe that the Minister of Intergovernmental Affairs, in his almost irrational approach to this legislation, may not try to persuade his colleagues to dump the stuff down in southwestern Ontario.

There is no reason to believe he will not send it up to the riding of my honourable friend the member for Hastings-Peterborough (Mr. Pol-

lock) and try to jam it down the mines that have since been closed.

He may even try to put his undoubted pressure on his colleagues in the government of Canada to have them take it at Chalk River or Base Borden, although I believe it was the provincial member in the area of Base Borden who closed off that possible alternative.

I am glad to see the provincial member from the Base Borden area, the member for Dufferin-Simcoe (Mr. McCague), is in the House tonight and may very well take part in this debate, because there were those who thought at one time that the obvious solution was to take it out of Scarborough in this great Metropolitan Toronto area and put it up in the wastes of Base Borden.

I, for one, never proposed that, but there were those who thought that was a proper means of disposing of this material, which the Minister of the Environment has described as only having residual and unimportant radioactivity—I am paraphrasing his words.

The member for Dufferin-Simcoe, very properly protecting his citizens, said: "Not here. Not even on federal property." Knowing his feelings about all things federal, I thought he might want to irradiate them, but he put the kibosh on that.

There was some thought that Chalk River, which is already a repository of a good deal of radioactive waste, might be used, but Atomic Energy of Canada Ltd. has indicated that it is fully utilized and that there is no way the waste can go there.

The minister expects the House to accept the setting aside of all the environmental protections and asks us to trust him. I trust him personally but not with the disposal of the radioactive dirt from the backyards of his 22 constituents; no, sir, not without a hearing. The proposals in the bill are completely unacceptable.

The minister now seems to be fairly soft on the Beare Road disposal site, although at one time he said there was no way that it would go there. But it appears that to satisfy his constituents, who have a legitimate complaint, particularly since this matter has been delayed for so long, the thought may be that they will hawk it out of there, put it in trucks and take it up to Beare Road. They may just leave it on the trucks and park it in the backyard of the minister's estate in the Scarborough area. I do not know whether that is his intent or not.

Somehow, the minister has had very clear sailing in his political career except for a couple of very troublesome problems that have been loaded on his broad shoulders. He has undertaken, over the years, to settle the continuing problem of the residents of the Toronto Islands. I do not want to go into that, because you might call me to order, Mr. Speaker, but that has been a difficult one for him to deal with and it keeps popping up, even yet. There is no doubt in my mind that before we get to the next election and replace the present administration with one that is going to apply truth, justice and reasonableness, i.e., a Liberal administration, we are going to have some more amendments to deal with the island residents.

The solution the minister is proposing for ridding his particular corner of Scarborough of this radioactive dirt is not acceptable to us. It is a shame that it has been delayed by so many Keystone Kops procedures, some of them federal but most of them the responsibility of the provincial government. This one surely has an obvious answer, and my colleague who spoke first for us on this made it clear in response to a number of interjections from the minister that there should be an environmental assessment of a proposal to dispose of this material wherever the government finds a suitable place for disposal.

Certainly the enactment itself says that all they need is the approval of the owner of the property. Even now, the minister is turning around to talk to the Minister of Government Services (Mr. Wiseman). He may even be asking him to go out and buy a couple of acres of land up in Brant county or somewhere like that. Then he will say: "We have a brilliant idea. We are going to send this radioactive stuff out of Scarborough and up to Brant county. The law says all we need is the approval of the owner, and the owner is my colleague the Minister of Government Services, who owns land all over the place."

Under the statute, that would be proper. There would be no way that the good citizens of Brant, who are somewhat threatened by this bill, could ever have any kind of hearing. There would be no recourse other than the ballot box, and they have already done everything they can through the ballot box to throw this mob out.

I am very much concerned, and under those circumstances we certainly cannot support the bill. I hope that the minister, being the reasonable and moderate man we have all come to know, will withdraw this bill or else announce that he will put in a subsection 1(a) calling for a full environmental assessment of any proposal once he has indicated where the material is to be

dumped, deposited or whatever the proper verb is. As a matter of fact, the Minister of the Environment, when this was introduced months ago, said, "Of course, we will know where it is going to be dumped by the time the bill comes forward for second reading."

It is really incredible that the government of Ontario, with a $23-billion budget and with all the majesty of a government long in office, has not been able to solve this problem. It is surely an indication that they have been too long in office and are running out of the mental wherewithal to solve even the simpler problems of our community.

8:20 p.m.

The Acting Speaker: The member for Scarborough West.

Mr. R. F. Johnston: Thank you, Mr. Speaker. And I thank my caucus for the enormous applause.

Mr. Nixon: It could go to Mississauga.

The Acting Speaker: Order.

Mr. Nixon: See, Dougie is gone.

The Acting Speaker: Order.

Mr. R. F. Johnston: There are uncalled-for threats from the member for Brant-Oxford-Norfolk.

The Acting Speaker: Indeed, and you do have the floor.

Mr. R. F. Johnston: Thank you. I will take it with me.

Mr. Speaker, I rise to speak in opposition to bill 174. It is strange how far we have come from the development of a luminous watch factory some place in downtown Toronto many years ago to having a debate now on providing extraordinary, enormous powers to the government of Ontario to get rid of the productive waste of that company back whenever it was in the prehistory of Metropolitan Toronto.

There is something strange in the air these days. Something bizarre is happening in the province. We must be going through a continuous full moon or something this fall. We are having economic difficulties, it is true. We have problems getting rid of waste, it is true. What kind of responses do we get from this government?

We get Bill 174, which destroys every act we currently have for the protection of the environment of Ontario to get rid of the waste of this watch factory which has been plaguing the people of McClure Crescent in Scarborough.

We have problems with the economy; so the government brings in Bill 179 and takes away all the rights of public service employees in Ontario, abolishing the rights that trade unionists have worked for over the years in an attempt to—

Mr. Nixon: Mr. Speaker, he is a little off topic.

Mr. R. F. Johnston: I am drawing parallels, and I believe it is valid no matter what the whip of that party says.

Hon. Mr. Gregory: We're on Bill 174; you are talking about Bill 179.

The Acting Speaker: Order.

Mr. R. F. Johnston: Mr. Speaker, I presume you find it in order for me to draw parallels and that is what I am doing.

Hon. Mr. Gregory: That is not a parallel at all.

Mr. R. F. Johnston: The parallel is bringing in extraordinary, ridiculous powers to deal with problems when the government is not even dealing with the problems at hand.

A third example would be a bill we have not yet had the pleasure of debating in this House, Bill 180, which is the "what if" or "when if" bill. That is, if and when the federal government decides it will bring in wage controls for the rest of the provinces we will go along with whatever it comes up with.

My God, what kind of insane response to problems does this represent by this government? What incredible overreaction! What incredible facility to get rid of the rights of people, and to destroy existing legislation built up year after year for the protection of individuals in this society, just to deal with some problem. That is what Bill 174 is doing. That is why it is a parallel.

If I might point to page 2, since you have it there, Mr. Speaker, the rights that are being trampled on in this bill are not inconsiderable. The work put into bringing forward these acts is not inconsiderable. The Environmental Assessment Act and the Planning Act will not apply to the disposition of this waste. Those acts took an awful lot of arguing and an awful lot of development in bringing them in to protect the people of this province.

Regulations and bylaws made under or in relation to those acts mentioned above will not have any effect on the disposition of the waste from this watch factory many years ago. The Environmental Protection Act, which is often pushed aside by this government, will not apply in this situaton and neither will anything under the Municipal Act.

The whole infrastructure we have developed

to protect individuals in this society from environmental pollution, and to give them some right and some say to oppose the imposition of waste being dumped on them or to oppose their air being polluted, is going to be taken away because we have a lack of guts by this government or the federal government—it is this government in this case, because it is this government this applies to—to take action to remove the waste from around the homes of people on McClure Crescent, which needs to be done, and put it some place where it is not going to hurt people.

What we are dealing with here is an incredible overreaction to a political problem. We have known about the possible low radiation from that area for many years. It was not until we had an election come upon us that the government felt impelled to act. A number of speakers have already mentioned that.

What we have is very low radiation being found around 22 lots on McClure Crescent in the Malvern area of Scarborough, which may or may not have an effect on the health, especially of the children, in that area. There is differing opinion, but there is enough reason to be concerned. If the soil were put anywhere else except where people are living on it day in and day out, it could not be considered a major environmental hazard in my view, just from my reading of learned articles on low-level radiation problems. I am one, as members may know from my video display terminal work, who is concerned about low-frequency radiation and that whole question.

We have a government that has not had the guts to say it will move the soil because it needs to be moved, since there is fear there among the people on McClure Crescent—will move it to an area which is not a populated area and where it can be controlled, but do it within the law. It is amazing how quickly we will throw away due process just because we have a bit of a sticky problem.

It is amazing how the inflation board, which is a board which has no concept of due process in it, will hammer the heads of workers, and in the case of getting rid of this soil the government will circumvent everything we have built up in terms of due process for the people who may be the recipients of it. As opposition in this House, or as the member for Hastings-Peterborough (Mr. Pollock) or members for other areas who have some right to be concerned about where this soil may be put, we are expected to buy a pig in a poke. After all of the dithering and wondering that has gone on for the last—

Mr. Elston: We are expected to authorize it, not buy it.

Mr. R. F. Johnston: Authorize it, approve it today, to say, "Yes, we will spare the people of McClure Crescent," and I, the Scarborough member, say, "Yes, let's spare them as quickly as possible from the fear involved with this." But they want us to say that we do not give a darn where else it goes, that we leave it up to the government to decide where the heck it is going to put this stuff and it is not going to let anybody have any say at all about it.

The Prime Minister of this country recently talked about trust. Therefore, I presume the Liberal Party of Ontario will want to trust this government to choose where it is going to dispose of this, the community Liberals to my right, far to my right—

Mr. Breaugh: The CP.

Mr. R. F. Johnston: The CP, as we call them.

Mr. Nixon: The CP are your friends.

Mr. R. F. Johnston: God only knows.

They expect us to just trust government in this area. It would be irresponsible for us to accept this precedent. Forget what is going on in this particular problem in Scarborough at the moment and this particular bill in terms of the Malvern soil, this is the principle we are expected to endorse. We know a pollution problem exists in one area and we are having difficulties getting rid of it through the normal process, so we are expected to say that none of that process should apply, that we should be willing to just throw up our hands and say: "Oh yes, you guys do whatever you want with it. Forget everything we have built up for the last 15 years in terms of process and you do whatever you will with it."

My God, if we can do that for Malvern, we can do it for the Leslie Street spit. We can do it for Cayuga. My God, we have seen that example already. We can do it for any kind of environmental problem that comes up. This will set a precedent that will destroy everything that has been developed in terms of environmental process and environmental law in Ontario over the last decade.

I do not understand why the Minister of Intergovernmental Affairs (Mr. Wells) does not understand that. As the member for Scarborough North, he must be worried about the people on McClure Crescent. He must want to be able to take away that soil from them at the earliest opportunity. I understand that and I sympathize with that. But, my God, how can he

expect us to respond to this kind of thing in anything but an obstreperous and angry fashion?

8:30 p.m.

Surely our duty here is to protect not only the citizens of McClure Crescent but the citizens of Ontario from environmental damage. We have developed the mechanisms for doing that and now the minister wants us to throw them away, because he has some problems of intestinal fortitude in terms of procedure, of moving through the normal channels.

We just cannot do that. It is true there must come a time when we have to bite the bullet on environmental concerns. That is absolutely true, but there are other ways of doing it. This bill not only says to us that we should exempt it from any kind of hearing at all, any kind of process, but also that nobody should be allowed to take it to the courts. I think the member for Hastings-Peterborough said any court process that is involved right at the moment cannot be pursued.

The government tries to make us feel a little bit better about it by saying, "The owner and the occupier of a place may consent to the designation of the place by the Lieutenant Governor." That is just a slough, because the potential places for this are not in the backyard of the member from Brant or other members of the government. The place where this is likely to reside is either a location owned by the government of Ontario or by the federal government, not somewhere that we are expecting there to be any kind of conflict with an owner saying, "No, it is not safe here."

There is a deal going on in the background. There is a decision being made that is implicit in this and implicit in the promises of this minister to get rid of the soil from McClure Crescent. It indicates that they know where they want it to go. They know that now but they will not tell us, as honourable members of this Legislature who have every right to be concerned about the wellbeing of other people in this province. They will not tell us what kind of protection they are willing to give the people in the area where they dump this. They are not willing to tell us what kind of precautions they will take into consideration. They are not willing to tell the member for Hastings-Peterborough that it will not be dumped in some area around Bancroft—what is the township?

Mr. Pollock: Faraday.

Mr. R. F. Johnston: Faraday township—in a fashion that will anger the residents of that community. Instead they are keeping it a secret and saying, "You guys go along with us." We just cannot do that. We have to oppose this bill.

If we look at the history of what has gone on in terms of how we came about even having this bill before us and why normal processes were not undertaken, it is a travesty in the history of government's irresponsibility, of individual members jumping up on a parochial basis and saying, "Yes, dump it somewhere, but not in my backyard." It is just an avoidance of social responsibility at every level.

Whether it was the fight to keep it away from Bancroft, or from the Barrie landfill site or Camp Borden, no matter how we look at it, people team together, often misinformed, in my view, as to the potential dangers of this particular soil, with no idea that the government was actually going to go through a process where they could feel they had had a say and they would have their fears eased, if not totally dissolved. Individuals in those areas, people in Scarborough, in the Bancroft area, and in the Camp Borden area, rallied together to fight it being in their backyard. This government, or the federal government, backed off the normal process that would be undertaken when having this kind of waste disposed of.

Either we are saying that all the rules we have put forward in this House in the last 15 years are irrelevant and do not work—

Hon. Mr. Gregory: But where do you want it to go? Why don't you say?

Mr. R. F. Johnston: I am going to say.

Hon. Mr. Gregory: You want both sides of the fence but nothing else.

The Acting Speaker (Mr. Cousens): Order. The member for Scarborough West has the floor.

Mr. R. F. Johnston: The government whip in his high office will be pleased to know I will be saying where I would like it to go.

Hon. Mr. Gregory: Sure you would. The fact is you have no idea.

The Acting Speaker: Carry on and ignore these interruptions.

Mr. R. F. Johnston: Is there any possible way you can ask the whip to listen carefully as I say this next line?

Hon. Mr. Gregory: I have been listening carefully for 20 minutes and the member has not said anything.

Mr. R. F. Johnston: I have said a great deal and I will be saying where I think it should go and how I think we should deal with it. That is

not going to stop me from attacking the process that has gone on up to this point.

When one is dealing with the fears of people in society, whether founded or unfounded, one does not deal with those fears in a heavy-handed and secretive way, the way this legislation is dealing with them. All that does is add to fear.

If the minister wants to tell people that he wants to put it in a safe area that is not of any real consequence to those individuals, as the Minister of the Environment (Mr. Norton) has said, if he wants to tell them that this waste causes no potential harm to people, he should not bring in a bill which takes away every right of anybody to know anything about the process or any ability to intervene in the process, any ability to ask questions in the process or to raise a claim of being unjustly dealt with. All this kind of a bill does is make people say, "My God, they may dump it in my backyard and I am not going to be able to do a darned thing about it."

If the government believes this should be dealt with and dealt with quickly, it has an obligation to say to the members of this House where they intend to put this and to ask for our support in moving that waste and then guarantee that there will be an assessment process as well.

I would like to make a suggestion to the minister, if I might. I have done this in private and I will do it publicly for the benefit of the whip of the Tory party. I will say it now. There are any number of areas where this could go. I am convinced of that. My suggestion at the moment would be that we have a couple of obligations:

First, we have an obligation to remove it as quickly as possible so those parents on McClure Crescent do not go through any more of the personal emotional turmoil they are going through. Second, we have an obligation to put it in some kind of place which all reasonable people will consider safe in the short term while we indicate where it must go for the long term and have the full assessment hearings take place on that side of things.

Hon. Mr. Gregory: Is that it?

Mr. R. F. Johnston: What I am saying to the whip—

Mr. McClellan: Why don't you listen for a minute?

Hon. Mr. Gregory: I am listening, Ross, but I have not heard a thing.

Mr. R. F. Johnston: The minister has heard three points to this point. I do not know why he is being obstreperous when I am, in fact, trying to be helpful at this point. There is no need for me to go out on a limb on this and to mention where I would put it. The obligation is on the minister. If I wanted to play this in a totally partisan fashion then I could just attack the minister and sit down. In fact, I am going to be suggesting something which will not be particularly popular in Scarborough, but which I hope is a responsible attitude to this and would be a better approach to this than just the closed-mindedness and the fear that is involved in Bill 174.

We need to put it into a temporary location and not look for the permanent location immediately. That temporary location must have a time limit on it so the people in that area where it goes will not have any reason to be concerned that it is going to be there forever and ever. The time limit must be long enough for the full assessment process of whatever long-range placement for this soil is going to be chosen, to take place.

I do not want to be hard and fixed on this but I am suggesting something like a five-year maximum temporary placement. As far as I am concerned, as a Scarborough politician, that could be the Beare Road landfill site. That is not going to be a popular thing in Scarborough. It could also be the Bruce site or Camp Borden. What we want to do is to put it some place where people will not be living on top of it, where we can cover it with clay and asphalt on top of that, and if necessary, soil. We could have it there for a limited length of time that is guaranteed safe, up to five years, or whatever seemed reasonable for going through the process, as we find a permanent location and try to make sure that people do not have access to that area.

8:40 p.m.

I do not think anybody in this House will disagree that if we have it in some place like the Beare landfill site, for example, under those kinds of conditions, it would not hurt people. One would have to be living on top of that soil for it to be a potential danger to the children of a community, and it would most likely be children who would be affected. Surely nobody in this House can disagree with that.

I would be prepared to take my lumps for that in the community on the short-term basis, getting it away from the homes of people who did not ask for this, putting it in a place which could be semi-secure for a number of years while we get it into some place where we can go through the entire environmental assessment

process for guaranteeing that it will be safe.

I hope the minister will come before this House in a responsible fashion before this debate is over and say he is not going to perpetrate this unknown on us, this augmentation of fear that is involved in Bill 174, but instead will level with the House about where he would like it to go, whether or not he thinks my proposal or some variation of that proposal is a workable suggestion and move an amendment to this bill which would allow us to do that.

I do not mind having, on a brief interim basis, the eradication of the validity of those various acts, to get it away from those people who are going to be hurt, but I cannot allow us to put it some place for perpetuity with no opportunity for the Environment Assessment Act, the Environmental Protection Act or the Municipal Act to be invoked by people. That is just a basic abrogation of the civil rights of the people of this province that we have fought long and hard to gain for them. I do not think this is an unreasonable recommendation I am making.

There will be opposition, but in rational terms we can make the argument for a site like Beare Road landfill. I even suggested to the member for Hastings-Peterborough that we can make the argument that we could enclose this 4,000 tons of soil in his area on a limited basis of four to five years so that it could be contained in a way that would not be of any concern to people. If we made it clear that it would not be for any longer than that, or if there was an extension it would be just for a limited period of time if the minister felt a short extension was necessary, people would accept that as a realistic concept.

At the same time we have to say very quickly what kinds of options, say, two or three, we should be putting forward about where it might go in the long-term and that we would expect the entire assessment process will take place. The minister can choose which one he prefers to go under, as far as I am concerned, if he does not want it to apply to the other acts but wishes it to be covered by one of the acts involved. These are the options and this is the investigation we will undertake.

It is not an easy thing to make deals in public, obviously. It is not an easy thing to make deals when one is speaking. But surely that is more reasonable than a bill which takes away all the rights that we have worked so hard to put forward, just to get rid of this 4,000 tons of mildly radioactive soil. We must remember that the radioactivity in the soil is nothing like as great as in the tailings heaps that are around Elliot Lake or around Bancroft. We know there is nothing like the radioactivity in this soil as there is in those areas. We can come up with some kind of a compromise on this which will be acceptable to all.

I am hoping the silence of the minister is not to be seen as intransigence and that some time during the course of this debate he will come forward with his opinions as to how we might do this before we finalize any kind of an act which allows the government to move in this direction.

Otherwise, I would suggest in all sincerity that he will be offending the principles upon which this House operates by bringing forward this kind of legislation and he will be offending all those people who have fought for and believe in the right to some protection from environmental hazards in this province, who have believed in good faith that they should trust their government and their legislators to protect them and that a travesty of justice to get rid of these 4,000 tons of soil is a very steep price to pay for protecting the people of McClure Crescent when there are other options available.

I encourage the minister to use his abilities and his staff to come up with that option, to use the fact that some of us in the opposition at least are not sure that the members of the Liberal Party are open to this kind of compromise and to come forward with some kind of suggestion before this bill is passed into law and the people of the province are in the long term offended by its draconian nature.

Mr. G. I. Miller: Mr. Speaker, it gives me some pleasure to rise and speak on this bill, because I think that a couple of years ago when we were dealing with all of Ontario's waste we went through similar circumstances with the government trying to locate in one area in South Cayuga by not following the proper procedure in the legislation provided to protect the people of Ontario.

The act being brought forward to provide for the removal of certain waste from the Malvern area reminds me of that period in the Legislature, and I would just like to rise and speak on behalf of the people. While we have a problem and a concern about the fact that people are living with this in their backyards, I think we do have to come up with a plan that will be acceptable and give the people the rights they deserve to participate in any proposal that is being brought forth.

I am not going to take a lot of time. I think our critic has spoken well on it. The member for Brant-Oxford-Norfolk (Mr. Nixon) has also par-

ticipated in the debate. So with these few remarks I would just like to say that the Minister of the Environment (Mr. Norton) should propose and move forward with the proper legislation rather than by an ad hoc method such as is being proposed here.

Mr. McClellan: Mr. Speaker, I think this is a very important debate. I am kind of sorry there are not more people in the House.

Mr. Bradley: I came in because I heard you were speaking.

Mr. McClellan: I knew that. I think it would be interesting if more members of the government were taking—

Mr. Nixon: Why don't you ring the bells?

Mr. McClellan: No, I do not want to do that, but you can feel free to do it if you believe some injustice is taking place here.

I am surprised that more members of the government are not taking part in the debate. I suspect the member for Hastings-Peterborough is not the only member of the government party who has a certain sense of foreboding and apprehension—not to say, perhaps, that the trapdoor is about to be sprung from under his Tory feet, because I do not think the ultimate decision as to where this stuff will be dumped will necessarily follow party lines.

I do not think it is any sure thing that we will have the same kind of sorry spectacle we had with respect to South Cayuga, where it was clear that the ultimate choice there, regardless of the scientific advice, was to find a Liberal riding to dump it in. I am not sure that holds true around nuclear or radioactive waste, and I am not sure it holds true around the contents of the backyards on McClure Crescent.

Mr. McGuigan: At least it didn't work.

Mr. McClellan: Yes. Thank goodness it didn't work. One would have thought the government would have learned something from the Cayuga fiasco: that it cannot treat these kinds of problems in that way, that it has to be more straightforward and up-front with people and that it cannot try to finesse its way out of these kinds of problems.

To me the real dangers of this bill have been set out very ably by a number of speakers in all three parties tonight. But one of the real concerns that I have has to do with whether this bill will be regarded as a precedent which then will apply to the disposal of nuclear waste.

8:50 p.m.

That may appear to be farfetched to my friend the government House leader, but I do not think it is. Those of us who have expressed opposition to Ontario's gung-ho approach to nuclear development have based that opposition largely on the problem of nuclear waste disposal. We think it is irresponsible to make a major commitment to nuclear expansion in Canada or anywhere else when we do not know what to do with the nuclear waste.

No one in this House is going to stand up, whether he is pro-nuclear or anti-nuclear, and say, "I volunteer to accept the nuclear waste from Bruce, Darlington or wherever." Nobody is going to say, "I volunteer my community as a receptable for the poisonous, radioactive waste and I am willing to volunteer my community to be a guinea pig to make sure we have some place to put this stuff."

We have no place to put nuclear waste, so it does not matter whether it is the litter from some 1940s glow-in-the-dark watch factory, which is what we have at McClure Crescent, or whether it is the radioactive garbage from one of our multibillion dollar nuclear power plants. The problem is exactly the same. We do not know what to do with radioactive garbage. We do not know where to put it, or how to store it or how dangerous it is.

What does the government do? It comes along with Bill 174 and says, "We have this problem at McClure Crescent so we are going to impose a solution on some community, somewhere." That solution will wipe out the Environmental Assessment Act. It will wipe out the provisions of the Planning Act and the Environmental Protection Act.

It has been pointed out by the member for Brant-Oxford-Norfolk (Mr. Nixon) and my colleague the member for Scarborough West (Mr. R. F. Johnston) that there is a little bit of flim-flam in section 4 of this bill. On reading the bill, it looks as if this stuff will not be dumped on anybody unless the owner and the occupier agree to accept it, that the radioactive waste will not be imposed on some poor farmer or some poor land owner somewhere in rural Ontario.

Subsection 5(2) reads, "The Lieutenant Governor in Council shall not designate a place" —that is a place to dump this stuff—"under subsection 1 unless the owner and the occupier of the place have consented to the designation." That is, the place will be designated as a receptacle for the radioactive waste.

It has of course been pointed out that if it is crown land, it is Ontario which is the owner and

occupier, so the Lieutenant Governor in Council will simply say, "Yes, we willingly accept this radioactive garbage on behalf of ourselves." If it is the government of Canada, I assume the atomic energy commission will somehow be brought in.

It is really not a bright idea. It is not going to wash. If the government was trying to persuade us that the rights of land owners or small communities in rural Ontario or northern Ontario are somehow protected by sections 4 and 5, it is just not there. It does not fool anybody.

It is not a question of fooling us. The member from Hastings-Peterborough (Mr. Pollock) has already expressed his anxiety. I am sure there are a number of other back-benchers who feel the way members of the opposition feel.

It is an extension of what Jane Jacobs has called the politics of victimization. If one has a problem in one community, in this case McClure Crescent in Scarborough, the solution to the problem is to create a problem for somebody else. The problem is dumped from point A to point B.

We saw the same process around expressways. Jane Jacobs coined the phrase, "the politics of victimization" when the problem of traffic congestion on Marlee was solved by extending it southward to other communities. The government got into the habit of solving problems in one community by transferring them to another. That does not solve anything. It is not a solution.

As my colleague the member for Scarborough West has pointed out, Bill 179 is doing exactly the same thing. We have a problem in the private sector and we solve it by dumping on people in the public sector. The politics of victimization does not add to anything; it is simply a way of transferring misery from one group to another.

Bill 174 exemplifies that approach par excellence. There is a problem on McClure Crescent; simple, send it somewhere else; send it to Bancroft, to Camp Borden, to northern Ontario; get it out of here. The minister says, "I do not care where it goes as long as it is out of my neighbourhood."

That is no good. It is no good to wipe out all the protection of the law—the Environmental Assessment Act, the Planning Act, the Environmental Protection Act—in order to be able to foist this problem from Scarborough on somewhere else. That is not a solution. I am sure the minister realizes this is not a good way of dealing with things.

I wish the Minister of the Environment (Mr. Norton) was here this evening. I know he was here this afternoon and I am sure he has a good reason for not being here. I hope he is able to join us when we get to the clause-by-clause discussion of this bill. I would like to ask him a couple of questions about the radioactive soil on McClure Crescent.

I believe my friend the government House leader is genuinely concerned about the families on McClure Crescent. I believe the children of those families are exposed to a health risk as a result of the radioactive soil. I want to spend a minute talking about that. When we are talking of moving radioactive soil from one place to another, it is important we discuss the potential health risk and the potential health hazard.

We are talking about the byproduct from glow-in-the-dark watches. When I was a kid, it was all the rage to have a watch that used to light up half one's face when one looked at it. It was the fad to have all kinds of X-ray machines. One put in a quarter to X-ray one's feet or hands. Those of us who as children were invited to expose ourselves to God knows what levels of radiation, in our more gloomy moments are given to wonder how many years we took off our lives as a result of doing that.

One wonders if the irresponsible attitude towards potential health risks that permitted glow-in-the-dark watches to be given to children and super strong X-ray machines to be treated as children's pinball machines has really gone away. That attitude says, "Unless it kills people, unless there is a body count, it is not really a risk. Unless we have a pile of dead bodies stacked up like cordwood, we do not really have to worry about the health risk." That attitude is still with us.

I believe there is a health risk on McClure Crescent. To be precise, we cannot say for certain that the children on McClure Crescent are not exposed to a health hazard. The factual statement is we do not know. They may or may not be at risk, but we do not know. On the basis of the history of the last 35 years, we have no right to say to them that there is no health risk with nonorganic pollutants in this province and in this society.

9 p.m.

What we do know is that testing of the children on McClure Crescent was done, last June I believe. The testing revealed that at least one child who was exposed to the radioactive soil on McClure Crescent in Scarborough had a radioactive level in urine 46 times the level

expected for adults in industrialized sectors.

I want to spend a few minutes to go through some material produced by the Jesuit Centre for Social Faith and Justice by Sister Rosalie Bertell and Dr. Michael Stogre. I am reading from a document they issued last June:

"One child in the McClure Crescent area of Scarborough has a level of radioactive lead in urine 46 times the expected level for adults in the industrialized sectors of North America. This finding may also indicate the child was exposed to 40 times the 'investigative level' set by the Atomic Energy Control Board in 1977 for radon daughter exposure in residences.

"Dr. H. D. Sharma of the Radiation Environment Management Systems Inc. located at the University of Waterloo, performed the urine analysis for McClure children exposed to radioactive soil in the summer of 1981. Dr. Rosalie Burtell and Dr. Michael Stogre of the Jesuit Centre or Social Faith and Justice had requested that the tests be done at the Ministry of Health's radiation laboratory, but the medical officer of health of Scarborough refused to authorize the test. Of the 51 children tested last summer, 50 had detectable levels of radioactivity in urine."

I will skip a bit, but let me continue to put this on the record:

"During the winter some of the urine samples were further analysed to determine the chemical composition of the radiation emitter and it was found to be lead 210, a decay product of radium. There is known contamination of the McClure Crescent backyards with radium waste.

"It was decided to retest four children in early spring to see if the findings of summer 1981 would be confirmed. Twenty-four-hour urine samples were taken from the two children with the highest and lowest, and the lowest was a zero radioactivity count on the first testing, as well as from two other children with medium to low counts. Other children were not retested.

"According to the US Environmental Protection Agency, the average North American adult living in an industrial area excretes 0.05 picocuries per day of lead 210. Levels are higher for smokers. The results of the retests of the four children and a control adult, who is a former smoker, were as follows"—and the levels of lead 210 in the urine were found to be 0.1 plus or minus 0.12 picocuries per day in the control subject, 2.30 plus or minus 0.15 picocuries per day in one of the children, 0.40 in another child, 0.17 in a third child and 0.00 in the fourth child. But one of the children had an exposure of 2.30 picocuries per day. As I pointed out at the beginning, that is 46 times the expected level.

I think that justifies the concern being shown by the local member, who also happens to be a minister in the cabinet and the government House leader. I would be surprised if he did not agree with me that these children are at risk. I would be surprised if he did not agree with me that there is a health risk in that community, on that street, to those children with readings such as those.

The interesting thing, of course, is that, for some mysterious reason, the medical officer of health in Scarborough insists there is no health risk. The Minister of the Environment insists there is no health risk and, as I started this section of my comments by saying I would like to have some discussion with the minister as to how he can take the position that there is no health risk on McClure Crescent, I simply do not understand that. I do not understand what kind of advice he is getting from his officials. I do not see how he can discard and discount the results of those findings. I think that is a kind of Russian roulette; it is intolerable in somebody who is charged with the protection of the environment of this province.

I do not understand why the Scarborough health department refused to authorize urine tests for the children on McClure Crescent. My colleague from Scarborough West points out that the medical officer of health has in the past pooh-poohed the hazard of asbestos. It is on record, back in 1974, 1975, 1976, when the subject of Johns-Manville was raised in this Legislature by Stephen Lewis, and Dr. Selikoff issued the first warning about the cancer epidemic that was going to come upon us as a result of asbestos exposure. The Scarborough medical officer of health was expressing a kind of benign attitude which history has certainly contradicted, to put it mildly. Now we continue to play the same kind of game with low level radiation, a game called, as I said, Russian roulette.

I suspect—I am not a scientist, and I do not have that particular skill, but I hear the voices of the scientific community issuing the same kinds of warnings that Irving Selikoff was raising in the early 1970s, exactly the same kinds of warnings about radon daughters, about the kinds of things we are seeing on McClure Crescent, or at Elliot Lake or Chalk River. People in the scientific community are starting to raise their voices with increasing urgency in exactly the same way as Irving Selikoff raised his warnings about asbestos. We have just the same head-in-the-sand attitude by ministers of

the crown and public health officials: "Don't worry about it. We do not have the bodies stacked up like cordwood, therefore, there is no problem."

I think my friend the House leader is genuinely concerned about the problems on McClure Crescent. He is faced with a cabinet that is not particularly helpful or sympathetic and never has been around these kinds of problems; and he has come up with a solution to his problem in his constituency. As a result of this debate, I hope he will take a good, hard, second look at it. The dangers of his solution are too enormous to permit that solution to continue forward because, as I said in the beginning, it will set a precedent for the disposal of nuclear wastes. That means, no community in this province will have the assurance that nuclear waste will not be dumped upon it without taking into consideration the provisions of the Environmental Assessment Act, the Planning Act, or the Environmental Protection Act.

No community in this province will be safe from the imposition of a nuclear garbage dump if this bill goes through and this precedent is established; not one single community, whether it be in southwestern Ontario, northern Ontario, central Ontario or eastern Ontario, will be able to say, "We know we can trust this government not to establish a nuclear garbage dump in our area without giving us the full protection of the statutes that our legislators have passed into law." Because once the precedent is established, it will be extended.

9:10 p.m.

So I would like to conclude by making a plea to my friend and colleague the government House leader to take the suggestion put forward by his colleague the member for Scarborough West and find a temporary site so that we can get the radioactive soil off McClure Crescent and into a safe storage place, and my friend for Scarborough West has suggested as one of the alternatives the Beare Road landfill site.

We are putting forward a concrete, specific, positive, constructive alternative: put it in the temporary storage site for a set period of time; during that period of time announce the designated site for long-term storage publicly and bring to bear all of the safeguards of the Environmental Assessment Act so the community that will be receiving this material on a permanent basis can have the assurance that it will be absolutely safe in its storage site.

I think this is a very constructive, positive, sensible and responsible alternative to Bill 174, and I hope the minister will accept it, will withdraw this bill and come back with a proposal based on this set of suggestions.

The Acting Speaker: The member for Ottawa East.

Mr. Samis: Est.

Mr. Roy: Good member.

Mr. Roy: I didn't say that. I said "est."

Mr. Roy: Words of wisdom. Yes. I thought for a while that the member for Cornwall was saying something derogatory—

The Acting Speaker: He is talking out of place as well.

Mr. Roy: He was saying it in French, and I am not going to make any attack on my dear colleague, who has been so gracious to me the last while. He has been somewhat misguided in his choice of teams in the World Series—

Mr. Samis: Next year, Albert.

Mr. Roy: —and that matter should go on the record. I have no intention whatsoever—

Interjection.

The Acting Speaker: If he is going to make interjections and then be really called to order, he should be sitting in his own place.

Mr. Roy: Mr. Speaker, in no way am I going to attack my colleague the member for Cornwall, because—

The Acting Speaker: The honourable member is speaking to Bill 174, and the World Series is past.

Mr. Roy: Mr. Speaker, you understand that if another member had been so gracious to you in the last while, you would feel some sort of affection towards him as well. I want to put on the record that my colleague has been very generous in the last while over the proceedings of the World Series.

I am sure honourable members understand that for a modest and low-key gentleman such as me to get involved in a debate as important as this one, issues of great national and provincial importance must be involved. I am eternally grateful to my colleague the member for Huron-Bruce (Mr. Elston), who alerted me to the dictatorial and authoritarian powers that are involved in this legislation.

Those of us who pride ourselves on participating in the democratic process view this type of legislation with great concern. I intend to review it briefly to point out some of what I consider to be the major flaws or the major dictatorial aspects of this legislation, although I am sure my colleagues, including the member

for Brant-Oxford-Norfolk (Mr. Nixon), dealt with some of the more dictatorial aspects of this bill.

I think all of us on both sides of the House recognize that there is a problem existing in Malvern and that to solve this problem the Minister of Intergovernmental Affairs may well have required legislation. In my opinion, to solve the problem the Minister of Intergovernmental Affairs (Mr. Wells) did not require such heavy-handed legislation. That is one of the reasons why people on this side will be opposing the legislation.

We are talking about that very nice gentleman, the white-haired member for Scarborough North and government House leader, the man who has a reputation for a thousand compromises. He is low-key, he is one who proceeds by way of compromise. I am sure this legislation is foreign to all his basic instincts. That is why my colleagues and I are so surprised to see legislation that is so wide-ranging. What is happening, Tom? I should not say that; I got a frown from the Clerk. When I say Tom, I really mean the member for Scarborough North.

I have had occasion to know my colleague now for 10 or 11 years. What is it about the problem, a problem we all recognize, that required such drastic measures? What is it about the democratic process that was incapable of solving the problem in the Malvern area? Has such pressure been brought on him as a result of his being the local member that he has to resort to the heavy-handed and dictatorial powers he gives himself in this legislation?

Let us review some of the sections in the legislation. My colleagues have done that, I am sure, but I want to emphasize some of the points.

First, when the province deals with a municipality, we have created a Ministry of Municipal Affairs and Housing. Generally, it would be that minister who would be involved in the exchanges and rapport that would take place in solving this problem. But not in Bill 174; it is in the riding of the Minister of Intergovernmental Affairs and, by God, he is the one who is going to deal with that, not the member for Ottawa South (Mr. Bennett), the Minister of Municipal Affairs and Housing. That is not good enough to solve this problem. It is the Minister of Intergovernmental Affairs. This type of action is not the business of the Minister of Intergovernmental Affairs.

Hon. Mr. Wells: All the tough ones.

Mr. Roy: All the tough ones, he says. I guess so. One would have thought having such a personal involvement in that problem, the minister at least would say to the Lieutenant Governor in Council: "Look, don't give me all those powers; I may get carried away. Give it to my colleague the member for Ottawa South. He is far more restrained. He will not get carried away with these dictatorial powers."

Here we have a situation where the minister just grabs at these powers. He generally has nothing to do with this type of action. But in this case, under this bill, he has asserted himself. Not only is he the local member, but also he is not taking chances: he is the local member, he is the government House leader and he is going to be the boss under this legislation.

9:10 p.m.

I say to my colleague the member for Scarborough North, this resembles some of the stunts pulled by Idi Amin when he got carried away—

Mr. Samis: He weighs 300 pounds, Albert.

Mr. Roy: I know, but can one see this kind-looking, white-haired gentleman across the way grasping at such powers, wanting such dictatorial powers given to him under this legislation? That is what he does under subsection 2(2). I am sure you read every word in this bill, Mr. Speaker. That section says:

"Except with the written consent of the Minister of Intergovernmental Affairs, no agreement may be entered into under subsection (1) after six months after the day that this Act comes into force."

In other words, after a period of time there can be no agreements without the Minister of Intergovernmental Affairs saying so. That is the first section where he gets his powers.

The second section is section 10. It says:

"Upon the certificate of the Minister of Intergovernmental Affairs as to the amount of the actual and necessary expenses incurred by each of the borough of Scarborough, and the owner and the occupier of a place designated by the Lieutenant Governor in Council under this Act in respect of carrying out the undertaking, the amounts so certified shall be paid. . ."

In other words, it requires his consent after a certain time; and he is going to be holding on to the purse-strings as well. There is just no end to the powers the minister is going to have.

The Acting Speaker (Mr. Hodgson): You are not speaking to the Speaker; you are speaking to your colleagues.

Mr. Roy: Oh no, I do not want in any way to neglect you, Mr. Speaker, although in my

discourse I may get carried away.

I have never seen legislation such as this be so wide and so sweeping; I make that point again. Generally speaking, it was only two years ago that the Ministry of Municipal Affairs and Housing was created. It was created to take away the responsibility of the Minister of Intergovernmental Affairs to deal with municipalities. That responsibility was given to the Minister of Muncipal Affairs and Housing, but for this legislation, by gosh, he is not taking chances. He has taken it over—

Hon. Mr. Wells: I did the Island legislation too.

Mr. Roy: But at that time, as I recall, the Ministry of Intergovernmental Affairs was dealing with municipalities; it is not now.

Not only has the minister taken over all these powers but in the process he has clearly insulted his friend the member for Ottawa South as well. He is one cabinet minister who does not relinquish power easily and he does not give up any jurisdiction willingly. He is one who is very jealous of the jurisdiction and the power given to the Ministry of Municipal Affairs and Housing. I would hazard to guess that at some point in cabinet there must have been some strong words on the parts of the minister and his colleague the member for Ottawa South as to who should have jurisdiction for this legislation.

What is even more serious than insulting his colleague in cabinet is the fact that having given himself such powers under this legislation, powers to which he was not entitled, he then proceeds to do the following things. He comes to this House, and he has the gall and the charm—I mean, he is a very charming fellow; he is as smooth as they come, Mr. Speaker. If it were not that you were doing such a great job in the chair, I would think he would give you some competition as one who is able to arrive at compromise and who is able to charm his colleagues in the House.

Mr. Mancini: Who are you talking about?

Mr. Roy: I am talking about the acting Speaker and how, as one who has shown charm and a facility for compromise, he can understand this situation in looking at the Minister of Intergovernmental Affairs. But the minister comes into the House and says: "Look, vote for this. Let's get this thing through. Let's not fool around." But he does not want to tell us where they are going to put this soil. He says: "We have to get it out of my riding; that's the first thing. Let's get it out of my riding."

One asks, "Where are you going to send it?" We know they have tried to send it to other areas. I am sure our critic, the member for Huron-Bruce, dealt with the fact that they tried to put it in a couple of other ridings belonging to other Tory cabinet ministers. By God, they were not welcome there.

Then they tried the old stunt. They said, "When things really get tough, let us see if we can't put this soil in a Liberal riding." They tried to force it on our colleague the member for Renfrew North (Mr. Conway). My colleague the member for Cornwall (Mr. Samis) points to my other colleague. We saw what they tried to do to him in South Cayuga about a dump site. We saw what happened there; that was the precedent.

Here we have the minister with a problem as touchy as radioactive material and he has the gall to come into the House and ask us for a blank cheque. That is what he is asking for basically. He is saying, "Give us the jurisdiction to go and dump it some place, but we do not dare tell you where."

It is a $64,000 question. It is going to be a surprise, and we have been given no hint. I ask my colleagues, has he given us any hint at at all where this soil is going? Will the minister help us? Will he take us into his confidence at some point and tell us where the soil is going?

I say to the Minister of Intergovernmental Affairs, if he were on this side, would he trust the other party with such wide-ranging jurisdiction and powers to take this radioactive soil and dump it some unknown place? There are 125 members in here.

Hon. Mr. Wells: If it were anybody but me, he would put it in Vanier.

Mr. Roy: It could be. They are likely to do anything. In the last election they tried to foist Omer Deslauriers on us. Can you believe that, Mr. Speaker? They tried to give us Omer in 1981.

Mr. Samis: He wasn't radioactive either.

Mr. Roy: My colleague says he was not radioactive, but after the election it was just as though he was radioactive. He went right off to Brussels. In one jump, he was promoted to Brussels.

I do not know where the minister is going to put that soil. Could it be in the riding of my colleague the member for Perth (Mr. Edighoffer)? It could be in his riding. It could be in London. Who knows? Just because my colleague the member for Cornwall is somewhat misguided as to whom he bets for, the minister might try to

take advantage of him and put it in Cornwall; I do not know. That is the problem we are facing.

Mr. Speaker, I am sure you will agree we cannot give the minister a blank cheque on such legislation. If he wants us to support him and if he wants the confidence of the House, or at least the confidence of a responsible opposition, he should at least tell us where he is sending the stuff.

The next point is that not only will he not tell us where he is going to send it but also he gives himself carte blanche under this bill to do what he wants. He makes it very clear; there is no pussyfooting around in this legislation. He has a section that says:

"7(1) The following do not apply in respect of the undertaking:

"1. The Environmental Assessment Act."

There is a principle of law that says, "He who seeks equity should have clean hands." I say to the minister, I am not sure he has clean hands. If he has such a good case, why does he want to circumvent the provisions of the Environmental Assessment Act? Has he given any explanation?

I listened to his opening remarks. I have searched Hansard to try to find out whether he has given an explanation as to why he wants to circumvent this legislation—not the legislation of the federal government, which legislation he can take advantage of, and not the legislation of a foreign country, but his own statute. He wants to circumvent his own statute, the Environmental Assessment Act.

9:30 p.m.

Then, having cut off the member for Ottawa South from his responsibility under the statute, he says, "Not only will you not have jurisdiction under this statute, but the Planning Act does not apply." So that is out of the way too. If anything is in the way, he says, "Get out." Their trucks are coming with their radioactive soil, and out of the way goes the Environmental Assessment Act, the Planning Act and anything else that is in the way. "Get out. We are moving. We are coming through," as the member for Nickel Belt (Mr. Laughren) would say. "Move aside. We are coming through."

Then the bill says "the regulations and bylaws made under or in relation to the acts mentioned in paragraphs 1 and 2" do not apply. The minister does not take chances about anything. He says not only does the act not apply but also the regulations do not even apply. The minister is not taking chances about anything in this legislation.

In addition, not only will the statutes not apply but also, by gosh, there will be no hearing either." In subsection 2, the bill says: "Notwithstanding part V of the Environmental Protection Act, the director under the part is not required to hold a hearing. . ." There will be no hearing.

Can you believe this, Mr. Speaker? I will repeat it for you. They do not tell us where it is going. They say—

The Acting Speaker: Do you want me to answer?

Mr. Roy: They do not tell us where it is going.

The Acting Speaker: You are asking me a question.

Mr. Roy: Yes. They say, Mr. Speaker—

I am sorry. Did you want to say something, Mr. Speaker?

The Acting Speaker: If you keep asking the Speaker.

Mr. Roy: Mr. Speaker, can you believe this? I will repeat it for you. They say—

The Acting Speaker: Just go ahead. Take your time.

Mr. Roy: I am trying; there are so many things in this statute that I really do not know where to stop or where to begin, but I will start over again. They say, "We are not going to tell you where we are going to put it." That is the first thing. "No act is going to apply to this, no regulations, no hearing. And I am the boss. I am the Minister of Intergovernmental Affairs; even though it is not my jurisdiction, I am doing this."

Is this the member for Scarborough North? I keep thinking of Macbeth, who says, "What is this I see before my eyes?" Is this the Minister of Intergovernmental Affairs? Is he really giving himself such powers? I do not quite believe this.

So here we are: no statutes, no regulations, no hearing. Then the bill goes on to say in subsection 3: "No provision of any other act or of any regulation or bylaw applies or shall be applied so as to conflict with a provision of this act."

The minister does not take chances. He says, "If any of the Revised Statutes of Ontario or any of the Revised Statutes of Canada dare to conflict with my act, they do not apply." It is that simple. He is not taking chances: no statutes, no regulations, no hearings.

Did the minister miss anything? Let us look. He did miss something. He says, "We are not even going to ask for the assent of the electorate." There is a section there, section 8, that says, "It is not necessary to obtain the assent of the electors under section 149 of the Municipal

Act. . ." Mr. Speaker, have you ever seen anything so dictatorial?

Some hon. members: Bill 179.

Mr. Roy: This makes Bill 179 look like a Sunday school prayer. The dictatorial powers given to the minister under this act—

Mr. Cassidy: If you oppose this one, you should oppose Bill 179 as well.

Mr. Roy: The member for Ottawa Centre should go back to his homework. If he wants a good mark at school, he has to go back and study for his exams.

To get back to this legislation, in my days here I have seldom seen a minister make such an outright grab for sheer power. This minister is the last person I would have thought would have sought to have such dictatorial powers. I really do not believe him.

I want to give one word of caution. I would think that having proceeded to circumvent all provincial statutes, regulations, hearings, the electorate and so on, the government may well have infringed one very important statute, and that is the Charter of Rights.

The minister knows that, because he was very much involved in the charter. That is his job; not this bill. The Minister of Intergovernmental Affairs looks after constitutions and charters of fundamental rights. That is his jurisdiction. The charter that he supported and went to Ottawa to sign and celebrate in April 1982 may well stop him in his tracks on this legislation. He may have gone too far.

It is one thing to be subtle and sort of slip things through so nobody hears about it, but did he really think he could get away with this? Did he think he could come into this place and make such an outright grab and nobody would notice?

Mr. Speaker, you will understand that those of us who are responsible to the electorate, to the people of Ontario, cannot allow such blanket approval. We cannot give the minister such wide-ranging powers. They are to correct what? Are the Russians coming? Is an attack threatening the safety of the whole province? Is that why such legislation is required? What is going on?

Mr. Cassidy: Has the member every heard of the mote and the beam?

Mr. Roy: Is the member for Ottawa Centre trying to say something? What is the former leader of the New Democratic Party saying?

Mr. Cassidy: It is the mote and the beam. This is the mote, but it is bad enough that the member is supporting it.

Mr. Roy: Supporting it? I am not supporting it at all. We are not supporting this legislation.

Mr. Cassidy: You are supporting Bill 179.

The Acting Speaker: Order. The member will talk to the bill and forget about the interjections. Keep on going.

Mr. Roy: Mr. Speaker, are you going to rule him out of order?

The Acting Speaker: I am ruling both of you out of order.

Mr. Roy: I have enumerated the areas where the minister has made a brutal attempt against the civil liberties of the people of Ontario by taking this approach.

Mr. Cassidy: What about the public servants? Where was the member when the public servants' rights were being taken away?

Mr. Roy: There is some frustration being expressed by one particular politician to my left, the member for Ottawa Centre. If he gets carried away in that way he will not be able to do his studies and it may threaten his marks for the next exam. Mr. Speaker, try to keep him under control.

Hon. Mr. Wiseman: Do you ever see him in Ottawa?

Mr. Roy: No, I never see him in Ottawa. He is busy at school.

Mr. R. F. Johnston: Albert is never there any more. He is in the House these days.

Mr. Roy: No, sir. I am not afraid to say that I spend a lot of time in my riding.

Mr. Cassidy: How many trials have you got booked on Friday?

The Acting Speaker: Order. Will the member for Ottawa East proceed with second reading of the bill and not be so repetitious? He has said the same thing about 10 times.

Mr. Roy: Mr. Speaker, if I say it 20 times it will not be enough to express the outrage I feel over this attempt to grab such power under provincial legislation. You will understand that we cannot accept that. To further complicate matters—I am not finished; I am not finished at all—there is a further item that must be brought to the attention of the minister, and that is section 9.

Not only is the government saying that it will not tell us where it is going to put it, that no statute or regulation will apply, that there will be no hearing in this case, that it does not want the consent of the electorate, but it is also saying that if it does something wrong in this process,

there is no civil liability; it is saying it is immune.

Did you ever see such a thing, Mr. Speaker? This is Ontario we are talking about. In this province, a minister gives himself this type of dictatorial power but says that if anything should happen there is no civil liability; the government is immune.

There comes a point where even this minister should be blushing at making such a power grab. How in heaven's name can he have the gall to make such an attempt to be immune from all statutes, regulations and even our courts? He is beyond our courts. There is no way one can get at him under this particular legislation.

9:40 p.m.

The people on that side talked about a police bill a few years ago and about how dictatorial that was. Let me say that Bill 174 runs a close second. The minister has legislation approaching such powers. I am not kidding. We make fun of the power grab he has made, but how can he have the gall not only to be immune from all provincial statutes, hearings and even from the electorate, but now effectively to circumvent his civil liability, circumvent the courts of Ontario? How can he have the gall to make such a power grab, and in the process take over this legislation when he is the local member involved? The whole combination of this, the conflict—

Hon. Mr. Wells: Mr. Speaker, can I ask a question of my friend, since I understand he is a very learned lawyer? Where does it say in there that we have circumvented all the civil laws? In which section is that?

Mr. Roy: I see this is a trick on the part of the minister. He is going to pretend now he has not read the legislation. First of all, it says in section 7 that a whole series of statutes do not apply, the Environmental Assessment Act, the Planning Act, the regulations and everything else. Then it says that no hearings apply. Then we look at section 9. I will read it very slowly and my colleagues can tell me who is right or wrong on this.

"No claim for damages or otherwise shall be commenced against the borough of Scarborough, "—that is the co-partner in this—"a municipality that is the owner of a place designated by the Lieutenant Governor in Council or an employee of either of them for any act done in good faith in the execution or the intended execution of any duty or authority under this Act." That is clear enough.

Hon. Mr. Wells: Read the rest of it.

Mr. Roy: I have read far enough.

Hon. Mr. Wells: No, no.

Mr. Roy: The minister wants me to read the whole statute. It is against the rules, but I will do it anyway. It goes on "or for any alleged neglect or default in the execution in good faith of any such duty or authority, but the claim may be enforced against the crown in the same manner as if the borough of Scarborough, the municipality and their employees who are agents of the crown, and, for the purpose, the crown is not relieved of liability by reason of subsections 5(2) and (4) of the Proceedings Against the Crown Act."

It basically says that all the minister is doing is in good faith. That is what the courts have been saying. To all intents and purposes, the minister has no liability, because the defence is absolute. They say they are acting in good faith. That is the defence. Those of us who have done some jurisprudence know very well that this defence of acting in good faith is very nearly an absolute defence in many civil actions. They say, "Well, you know, I was acting in good faith."

To all intents and purposes, the minister has relieved himself and the borough—well, I should not put it that way—he has relieved the ministry, himself as minister, his servants, et cetera, from civil liability. This is because their defence is very simply that they were acting in good faith.

Mr. Speaker, having said this, I am sure you are sitting there incredulous. You do not believe what I am saying. You are saying it is not possible in Ontario—

Hon. Mr. Wells: The legislative counsel advisers under the gallery have just confirmed it is not possible.

Mr. Roy: I will tell the minister what anybody who reads this statute knows full well. He has given himself almost absolute power. In closing—

Mr. Cassidy: Your limo is coming at 10, eh?

Mr. Roy: No, not until 10:30. I have lots of time. In fact, maybe I should continue just a moment longer and discuss the responsibility of the loyal opposition to oppose such legislation as strenuously and enthusiastically as possible.

I ask my good friend the Minister of Intergovernmental Affairs why, in God's name, did he need such sweeping powers to correct a problem in his riding? Why was it necessary to make such a power grab? We are sympathetic people here. We would have understood that the minister is trying to move some soil from point A to point B. We have co-operated. Generally

speaking, we are a very effective but co-operative opposition. Why did the minister require such wide powers without an adequate explanation, at least without one that most of us have heard so far?

We on this side cannot give the minister authority to proceed in this fashion. Those of us who still feel there are some civil liberties left in Ontario—my colleagues who have spoken against this bill and all those present this evening—will oppose the minister as strenuously as we can. As much as we have faith in his good judgement, as much as we have trusted him in the past, no ministry and no government should have such wide, sweeping powers.

Since the minister will not provide a better explanation, my colleagues and I will follow the lead of our Environment critic, who has set the tone of this debate, and we will vote against this legislation. In so doing, Mr. Speaker, I am sure you will fully understand our reasons and will be sympathetic to the approach we have taken.

Mr. Breaugh: Mr. Speaker, I want to speak succinctly against the principles that are encased in this bill, because I think they point out a problem we have had in Ontario and Canada for some time.

The first objection I want to put on the record is the title of the bill. This bill is entitled, An Act to provide for the Removal of Certain Waste from the Malvern Area. One almost gets the impression they are going to have an extra garbage collection next week in Scarborough, and that is not what we are talking about at all. Unfortunately, the tenor of the title moves its way on through the bill and, in fact, through the history of handling radioactive waste in Ontario and Canada.

We have two levels of government which are hotly and heavily into the use of radioactive materials. Ontario, in this instance, and the federal government are both anxious to establish as clearly as they can that the use of radioactive materials is very necessary in this day and age. It is very productive. It produces jobs, and the use of radioactive materials in that one segment has a very high profile. They have developed a series of projects with which they want to be identified. Yet, at the end of the process, where radioactive waste is left, both levels want to be conspicuous by their absence. Both of them want to abandon that.

It is an irony that this bill is brought before us by the Minister of Intergovernmental Affairs. If we were talking about other dangerous forms of waste, it would be the Minister of the Environment who would bring such a bill before us. If we were talking about a problem in a particular ministry or municipality, it would be the Minister of Municipal Affairs and Housing (Mr. Bennett). But, in this particular instance, because it is a complicated piece of business, we have two levels of government involved, so the Minister of Intergovernmental Affairs presents us with the bill.

It is remarkable from several points of view. If one were to take a stroll around Queen's Park and through the University of Toronto, one would find areas where radioactive materials are being used. Within a radius of four or five blocks one would find the university, hospitals and research facilities which use radioactive material. There are signs indicating there is some danger involved at the end of that particular process. It seems the farther away one gets from Queen's Park, the less the danger becomes. Certainly the signing ceases and there appear to be much fewer precautions.

The best example I can think of to draw an exact parallel to what is proposed in the principles of this bill is an action that was taken by a fellow from Bancroft by the name of Larry Tadman, who was living in the Bancroft area amid the tailings where it was once proposed that this waste would be shipped.

9:50 p.m.

In that area, there are not very many signs saying, "This is radioactive waste." The governments of Ontario and Canada go to great lengths to assure people that low-level radiation will not really hurt anybody. Contrary to what is contained in this bill, Larry Tadman said, "Listen, I am going to move some low-level radioactive waste from Bancroft to Queen's Park." In this bill, the minister goes to some length to avoid telling us where he will move it. Larry said: "I will tell you how I am going to take it there. I am going to put it in a little knapsack with a toy truck and walk from Bancroft to Queen's Park."

It was interesting to follow that particular exercise because it was the exact opposite of what is being proposed in this legislation. The closer he got to Toronto, the more attention was paid to him until, when the crowning glory arrived and Larry Tadman arrived at the front of Queen's Park, what was seen to be just normal everyday stuff in Bancroft all of a sudden was cause to call out the bomb squad in downtown Toronto.

A number of members went out front to see this arrival. The security guards went out and

marked off the area. Here was Larry with a little package of dirt from Bancroft in a little toy truck. He kind of left it there with a little notifying sign, because when one gets close to downtown Toronto one has to identify radioactive material. Larry left the toy truck, the bag of dirt and the sign marking it as radioactive material.

The security came out, the Metropolitan Toronto bomb squad arrived and out came the aprons to protect them while handling the radioactive material that Larry carried on his back all the way from Bancroft. We watched as they tried to remove this material from in front of Queen's Park. After several unsuccessful attempts to get the dirt and the toy dump truck safely into a disposal unit, the most interesting part of that exercise was to watch one of the bomb squad tie a string to the front bumper of the toy truck and attempt to pull it ever so delicately over to the disposal unit. Unfortunately, there was a spill.

I am not sure whether the AECB was called in on that spill, but I imagine it was, because in every spill of radioactive material it is called in and everybody is notified. I watched that process. It was actually just a little package of dirt from Bancroft that everybody in Bancroft has learned to live with for some time. The closer it got to Queen's Park the more dangerous it became, the more threat it was to people around here. Unfortunately, the attitude of the governments of Ontario and Canada is that as long as one can get this stuff away from where people can see it, it is okay. The further one gets away from it, the safer the stuff becomes. That has been a traditional attitude.

One of the things that bothers me about this type of legislation is that it begins the process by trampling over things which many of us feel are important and which, on other occasions, the government of Ontario touts as being extremely important as well. If one sees ministers of the crown in other jurisdictions explaining environmental law as it is written in Ontario, one will find them proposing what is very good environmental law on paper. The only flaw is that we have never used this law in Ontario.

Every time we turn around, the first step of the action is to set aside all of the environmental laws. We wind up with the tremendous bitter irony that somebody at some point in time wrote some very good environmental legislation for this province and ever since then this government has spent every conceivable effort it can muster to set aside those laws, to get them out of the way.

As one runs down the exemptions that are covered in this particular proposal, it really follows just about everything I could think of that one could use to try to take a look at what is being proposed by the government. When one gets right down to it, there are a couple of other things that have to be put on the record today too.

The member for Hastings-Peterborough did something for which, quite frankly, I want to commend him. I think this House would be a better House if more members did it. He looked at something that was proposed by his own government and said, "This is just plain stupid." He took a little longer to say it than that, but that is my understanding of what he put on the record.

I think that is damned good advice for the members on this side, because I heard in previous debate today members saying this is kind of a "trust me" bill. I do not believe that is so. One does not have to be a trusting person to accept this kind of legislation. One has to be a damned stupid person. There is a lot of difference between trust and stupidity. That is what the minister is trying to push us into here, because it says, "Throw out the window all of the laws which we purport to have," and it also says, "Throw out the window those normal laws which citizens might use to protect themselves."

What really bothers me immensely about this particular proposal and the principles that are in this bill is that it takes a problem which we have known we have had for some period of time and it says that to deal with this problem we need to dispense with the laws of Ontario and the laws of Canada and anything else that anybody could find in there. It is fairly explicit about that.

More than that, it says that the minister of the crown, through that technique that is known as the Lieutenant Governor in Council, may by himself, in secret, decide what he wants done. The normal legislative process, as I understand it, in anybody's parliament, is that a government decides collectively what it wants to do. After it has decided what it wants to do, it prints it up in a bill and tables it in the House and then the rest of us get a chance to say, "Now we understand what the government's legislative proposal is."

This particular bill flies directly in the face of that. It does not even give us a sweet, faint clue as to what it is the government wants to do. It does not tell us where, it does not tell us how, it does not tell us when. It says, "We will decide that in secret."

That flies in the face of what is supposed to be the process of a parliament. I believe the bill is a dangerous precedent to let stand. I want to say that if members looked at this bill in another jurisdiction they would say it certainly is a remarkable piece of drafting, a remarkable piece of legislation, and yet if they read it they would have a difficult time figuring out exactly what the government is proposing to do here. Why is the municipality known as the borough of Scarborough involved in this? Why do they not do it themselves? Why are they having them do the work for them? Why do they not identify the site?

If I were looking for legislation to deal with this kind of problem, it strikes me that I would be anxious to have the various environmental laws put in place.

It seems to me I would want to answer those questions. I would want to exercise the environmental laws, the Environmental Assessment Act and the Environmental Protection Act that we have in Ontario and say, "Listen, people of Ontario, we are going to use the fine environmental laws that were written in the 1970s; we are going to go through this process to make you understand exactly what is happening."

It seems to me they should be anxious to have people use those laws for the purposes for which they were designed, which is to ascertain what is a suitable site; what is a suitable means of transportation; what other alternatives there could be.

What I find particularly obnoxious about the bill is that we went through this exercise once before just in the last year or so. At that time, the government made a mistake that it does not want to make this time. It identified a site for liquid industrial waste and went through all the rigmarole about assuring everyone that this was just hunky-dory, that there was absolutely nothing wrong with that site, and that in fact it was a good site.

After a bit more pressure, they decided that maybe they better take a look at it. Once again, they would not use all of the environmental laws but decided to have Donald Chant take a look at it. Of course, after he took a look at it he decided it was not a safe site.

We have seen that happen again and again, so it is not as though this is our first experience with trying to remove some dangerous materials from one area to another and to determine how we should try to handle them, either in the short term or the long term. The fact remains that this bill, if members want a casual reading of it, says the government of Ontario now wants to get into the midnight haulage business. It says that it wants to have that privacy about what it does and it wants to determine just exactly where the Big Blue Machine is going to drop this stuff.

We could almost read into this bill that it would like to do this under cover of darkness and leave it somewhere and perhaps not bother to tell us about it at all, let alone before doing it. My problem with the legislation is that it takes something which I find to be one of this society's problems and decides it will exempt it from any careful examination. That is my real difficulty with it.

I will bet most of us would say that in every community that is represented in this Legislature there is a problem of a similar nature. It may not always be radioactive waste that is the difficulty, but I would bet that in every constituency across Ontario there is some form of waste product from something that happened a long time ago, as is exactly the case here, and no one has quite resolved what to do with the stuff. No one knows how to handle it.

It seems to me this would have been an excellent opportunity for the government of Ontario to do two things. First and foremost, it could ensure the safety of those people in the Malvern area who, through no fault of their own, have been exposed to this low-level radiation.

10 p.m.

It seems to me it does not require an act of the Legislature to accomplish this; that the government of Ontario could have acted to remove that soil and store it on a temporary basis many months ago—in fact, according to some information I have, many years ago, when they first learned that the soil was there, that it was radioactive and that there was low-level radiation that might pose a health risk.

That is the first order of business. Why did it take so long to get any kind of act on at all and—without blaming the Atomic Energy Control Board, the federal government or anybody else—get the damned stuff out of there? It seems to me that should have been the government's first instinct.

Its second instinct should have been to take all of the laws we now have to resolve the problem: to have the environmental assessment and to deal with the matters of protecting the environment and the health of our citizens. Why do they not have that done? It seems to me that in Ontario we have taken a number of instances—all of the agencies out there that are supposed to be looking after the health of the public, the

storage or the transportation of dangerous materials—and we have all turned a blind eye to these things until we now have a substantial problem that we must deal with. Then when we get to the point where it is recognized that we must deal with it, we deal with it by exempting this process and that process and, in fact, doing it in secret.

In conclusion, the problems I have with this particular bill are form, format and technique. It seems unusual to have the minister come before us with this piece of legislation, for it does not resolve the problem as I understand it in any part of the province other than the community known in Scarborough as the Malvern area. It does not do anything at all for anybody else anywhere else in Ontario having to do with radioactive waste or any other kind of waste that might pose a health hazard.

It strikes me, too, that an opportunity has once again been missed when the government of Ontario could finally have looked at a problem in a straightforward manner and dealt with it using the legislation it has.

Finally, it is totally unnecessary and should not be acceptable to this House to put this kind of authority into this kind of process. If the government of Ontario has decided it wants to take legislative action, let it print it up in a bill. Let the minister tell us what sites he has under consideration for the disposal of this waste, let him describe for us the process whereby the waste will be removed, transported and stored, either on a temporary basis initially or preferably on a long-term basis. Let us do that openly, honestly and above board. Is it necessary that it always be dealt with in this kind of clandestine manner?

I regret that the bill is before us in this form. It is a problem that is not isolated in the community of Malvern. It is a problem that is around the province. The examples of the cleanup of low-level radioactive waste that we have seen, for example, in Cobourg and Port Hope are hardly models to be followed, and the opportunity was there for the government of Ontario to do those two urgent things.

First, it could have resolved the problem of the soil in Malvern, yet it has chosen to wait it out on this one. Second, it could have provided for us a piece of legislation that at the very least—and I think as members of the Legislature we have a right to expect this—would tell us something, would not tell us all of the exemptions, would not tell us it would be done by order in council but would give us some faint clue as to what the government had in mind here. The minister may give us a clue or two as he closes the debate. I would beg him to do that; I think it is incumbent on him.

I want to reiterate as I finish my remarks that putting legislation in front of anybody's parliament that does not tell the members anything about what the government's real intentions are is a matter that the government ought to take to heart. The next time they have a problem of this kind and they want to resolve it by legislation, they should at least put in front of us legislation that tells us what they are going to do.

The principles contained in this bill ought to be repugnant to anybody's parliament anywhere in the world, because the bill puts the members on this side and all of the members on the opposite side, only one of whom I have seen have the temerity to speak out against the bill, in a position where they are not asked to be well-informed individual legislators dealing with a government proposal; it really asks one to buy something one has no knowledge of. Neither, I take it, does any member on the government side. It is a tragedy to reduce a legislative body to that format. There are other forms of government in the world which are uniquely designed to accept this kind of proposal, but one which purports to be a democracy in a parliamentary system should not be reduced to facing this kind of legislation.

Mr. Samis: Mr. Speaker, I want to speak briefly on this bill, especially from the perspective of a member from eastern Ontario. It may be 300 miles or so from the actual site in question, but I want to express some of the concerns we have in eastern Ontario.

Essentially, my opposition to this bill is based on a simple fact: The minister is asking us to sign a blank cheque, pure and simple. In the overall legislative process and in parliamentary tradition, it is completely unacceptable for an opposition to be expected to sign a blank cheque, pure and simple, such as this bill represents.

I want to take the opportunity to commend my colleague the member for Hastings-Peterborough (Mr. Pollock). We in eastern Ontario have to stand up because of the implications involved in this bill. I commend him for standing up to this bill and representing what I consider to be the interests of the constitutents of his riding rather than the interests of the whip or of his caucus. I hope the other members from eastern Ontario, especially my friend the member for Prince Edward-Lennox (Mr. J. A. Taylor), will stand up for the interests of their constitu-

ents rather than for their caucus or political party.

We express concern because of the record of this government which I will get to in a few minutes. It strikes me as almost unfathomable that a minister as experienced, as knowledgeable and as astute as the member who is guiding this bill through the House would present us with such a bill.

I again give credit to the member for Hastings-Peterborough. He asked a question which I think was the most germane of the entire debate: "If this is not dangerous material, why are you moving it?" I recall vividly the answer from the Minister of the Environment (Mr. Norton). He said, "To protect the mental health of the residents of the area." That really makes one wonder when one considers the possibility of eastern Ontario being designated a dumping ground for this waste.

I fully accede that if there is any question of doubt, any question of safety whatsoever, let us err on the side of safety. I agree with my colleague the member for Bellwoods (Mr. McClellan) who made that point vividly earlier in this debate. I reiterate, we in eastern Ontario would agree with the idea that, if one is going to err, make it on the side of safety.

What guarantees does this bill offer to the people of Ontario or eastern Ontario? Absolutely none. It gives us no idea where the soil is going, no idea of the circumstances under which it will be transported, no time frame whatsoever, no protection, no security; no guarantees whatsoever. It is a blank cheque, pure and simple, for this government to solve a political problem that has arisen in this riding.

I can appreciate the member is responding to his constitutents. They want to get rid of it as soon as possible and that is fair enough. The member is responsive, he is the House leader, and he is an influential member of the cabinet. That is why we have this bill before us tonight. But the key question is, where is it going from that riding in terms of the rest of the province? Under what circumstances is it being transported?

The loopholes contained in the bill are absolutely incredible as other speakers have mentioned. It is totally exempted from the Planning Act. It is exempted from the Environmental Assessment Act, from the Municipal Act, from the Environmental Protection Act, from the Dangerous Goods Transportation Act; from virtually every other existing piece of legislation. We are talking about dangerous material. What legislative protection are we affording the citizenry, the ordinary people of Ontario, if this is truly a question of dangerous goods being transported?

In terms of transportation, we have passed a specific bill to protect the rights of people in Ontario on our highways and byways in the transportation of dangerous goods. But this bill emasculates those other pieces of legislation and the minister says "trust us." That was what it boils down to: "Don't worry about it. Trust us."

10:10 p.m.

I would dare to suggest, without getting excessively partisan, that if we look at the results and the record of this government since the last election on March 19, 1981, there is no ground, no basis or reason whatsoever why this government should be trusted. Whether we look at its record in terms of the budget, hitting the ordinary people with higher taxes; at its record in terms of Suncor, investing $650 million; or at the fact it has imposed the most draconic legislation in the last decade in Ontario in wage control legislation, on what basis should anybody in this Legislature or anybody in this province trust this government?

This is the government that lives by the polls. It is a government that has been in power for far too long, and it cynically manipulates this whole legislative process. I would suggest, leaving apart this environmental record, that there is no reason, cause or basis whatsoever for trusting this government. The environmental record really makes a mockery of the legislation. On paper, I suppose we could say the legislation is fairly progressive. We could say that compared to some other provinces, it is actually ahead of them.

Look at the actual de facto record of the government: At South Cayuga, 12 sites were designated and the government totally ignored that and imposed its particular option on a Liberal riding in Ontario until the people virtually rebelled against it. Look at the virtually obscene record of Darlington, where the government has emasculated any form of local planning, environmental assessment or environmental protection. It said at one stage it would cost only $3 billion; now, we are up to over $10 billion and we will probably hit the $15 billion, if not the $20 billion figure, before that monstrous project is ever completed.

It makes a mockery of environmental legislation in Ontario. I think every member in this House recalls the saga of Base Borden. My colleague from Hamilton Mountain (Mr. Charlton) has cited other instances where the

environmental legislation has been ignored on a local basis with various projects. Very simply, on what basis should we trust this government on a bill like this? It has demonstrated its disregard, its arbitrary view of the bill in the sense that it can exploit, abuse and circumvent the environmental legislation at any opportunity whatsoever.

In some of the statistics that were published recently, I think in the Toronto Star, about the whole problem of industrial waste—I will very briefly cite a few figures. We are talking about 330 million gallons of industrial waste. The Ontario Waste Management Corp. found that there is six times more industrial waste than was originally estimated. Only 45 per cent of the flotsam and jetsam of industry receives any treatment before it is dumped. Five per cent of the industrial waste in this province somehow mysteriously vanishes; 25 per cent of it gets into our sewage systems and only 10 per cent of it is recycled. I would suggest that is just the tip of the iceberg. Here we are talking about something that is very tangible, something that is identifiable. We will probably discover in upcoming years things that may shock citizens of this province in their actual impact.

This bill is asking us to grant far too much power. We in eastern Ontario have a concern. Since the Cayuga fiasco, we are very aware of the fact that studies are being conducted in eastern Ontario as to alternative sites. We know that in the far east of Ontario, where I come from, sites are being considered in Prescott-Russell and in Glengarry county as well. We feel very strongly that we produce only five per cent of the industrial waste in the province versus 70 per cent being produced here in southern Ontario. We have a concern with a bill like this, that it might just be the first step towards making eastern Ontario the dumping ground for the rest of Ontario, especially for southern Ontario.

I understand the concerns and the fears of people in northern Ontario in terms of nuclear waste. We have a specific concern with industrial waste, especially the more dangerous forms of industrial waste. I feel very strongly, coming from Cornwall in eastern Ontario, that those who produce the industrial waste in their region must dispose of it; they must take full responsibility for its disposition in their particular zone for their region and must not consider eastern or northern Ontario in any way, shape or form as a dumping ground for their waste.

My colleague the member for Hamilton Mountain (Mr. Charlton) made some very specific suggestions. If not Malvern, he suggested very specifically Pickering and Bruce: two alternatives that meet the current environmental standards, which are acceptable and which can handle this waste. They already deal with all sorts of nuclear waste. This bill would receive a far more positive reaction on this side of the House if the minister would give us some idea where this waste is going to go. My colleague has suggested two places. I would be interested in hearing the minister's response to those specific suggestions.

In the bill's present, totally open-ended form we are simply being asked to sign a blank cheque. I know the good people of my riding would never want me to sign a blank cheque on a serious matter like this.

The Acting Speaker (Mr. Cousens): Does any other member wish to participate in this debate?

Hon. Mr. Wells: Mr. Speaker, I would like to thank all the honourable members who have contributed to this debate. I remember one of the first public speaking classes I went to many years ago. The first lesson was that when you are going to make a major speech, you start with some incident, story or event that will capture people's attention. There is no question that this bill has finally captured the attention of this House on what has been a very important matter to me and to the people in my riding, particularly those people on McClure Crescent, for a long time.

This bill may not be perfect. Members have pointed out some of the possible imperfections in the bill. I am not going to stand here and defend every sentence, every thought and every idea in the bill. It was an attempt to draw the attention of the members to a very specific problem and to enlist their support and help in that problem.

There is a reason for the bill, of course, and there is a reason it is in its particular form. For some two years now, some of us have been attempting to remedy the problem that exists on McClure Crescent. We have all agreed that there is a problem, that the soil with its radioactivity, low as it is, should be removed. It is a hazard of some nature and it should be removed. That particular action began very soon after the identification of the problem in that area.

I point out to my friend, although he may have felt there was some identification in 1975, there really was no identification. A document came to light indicating there may have been dumpings in Scarborough somewhere and in the

Malvern area. When the Atomic Energy Control Board and the national health agency went in to test, they found no evidence of any high levels of radiation in 1975.

The medical officer of health in Scarborough has those reports, so although there was some indication of dumpage in the area then, no evidence of it was found in 1975. It was not until 1980 that actual evidence was found. At the time, then, we would have to say proper action was taken. An attempt was made to identify the problem there. No problem was seen. It was not until the identification in 1980 that the actual problem of higher levels of radioactivity in the soil came to light.

There have been many attempts to handle the problem since then. Many different locations have been suggested and for various reasons nothing has happened so far. Those sites have not been used. It has not been a very simple thing to come up with a place to put the soil.

I notice my friend the member for Oshawa (Mr. Breaugh) has left. He wondered why the borough of Scarborough was doing it and so forth. I could have explained that to him.

I point out to members of this House that this bill was introduced on July 7 and it is now October—

10:20 p.m.

Mr. McClellan: Was that not the last day of the session? Don't blame us for that.

Hon. Mr. Wells: No, no. All I am saying is that it is now October 26.

Mr. McClellan: That is the minister's fault, not our fault.

The Acting Speaker (Mr. Cousens): Order.

Hon. Mr. Wells: I am not blaming anybody. All I am saying is that I had not heard anything from anybody about this bill, except the residents of McClure Crescent, until this debate today.

Mr. McClellan: This is the first time we have had a chance.

Hon. Mr. Wells: If there was the sort of stature of concern that I have heard in the very eloquent speeches here tonight, I am surprised that someone has not asked me a question about it.

Mr. McClellan: Mr. Speaker, on a point of privilege. There were questions raised in the Legislature about this matter in June. I believe it was June 22, 1982. The minister should look it up.

Hon. Mr. Wells: The member should just sit down. There were questions raised about the matter, but there were no particular protests about the nature or form of this bill until everyone got to the House. I note the level of protest rose as the sitting went on.

Mr. Roy: I had many sleepless nights also.

Hon. Mr. Wells: Yes, I am sure the member did. What I began—

Mr. R. F. Johnston: This is ridiculous. We have had Bills 127 and 129 to deal with, which kept us occupied.

Hon. Mr. Wells: Well, that is all right.

Mr. Nixon: We didn't realize how difficult it was.

Mr. Roy: The Minister of the Environment (Mr. Norton) even protested the bill. I should put that on the record.

The Acting Speaker: Order. The Minister of Intergovernmental Affairs has the floor.

Hon. Mr. Wells: What I want to say is that I am most interested in bringing about some action that will remove that soil. In gaining the attention of this House, I had hoped to elicit some suggestions as to where this soil might go.

I am very pleased, and I hate to say this, that my friends from the third party have come forward with some suggestions. I have not heard any from the official opposition. They have been very vocal in criticizing the bill but they have not come forward with any suggestions.

Mr. Nixon: You said you wouldn't let it go to Beare Road. I have your quote.

Hon. Mr. Wells: I indicated I was in favour of the Beare Road landfill site after the other sites were not available. I have not seen any other member of this House who has been willing to stand up, take a problem such as this and have it handled in his or her own riding. I would be very pleased to see anyone do that.

The federal member and I have sat down and talked about this matter, and I must say the federal member agrees with the action I have taken, and the borough of Scarborough to a man, except for the mayor of Scarborough, voted to use the Beare Road landfill site as a temporary storage facility. As far as I am concerned, that is the proper place for temporary storage. That is what had been proposed. I had believed that would be put in this legislation. I thought we should put it there.

However, as the Environment critic for the Liberal Party pointed out, there is, currently, a court case concerning the legality of this bill,

brought by the people who live in the vicinity of the Beare Road landfill site and who are attempting to challenge in court the legality of this Legislature to pass such a bill.

I point out that without legislation like this, there is no power for the province to pay for the transportation of this soil. We have to have some kind of legislative authority to undertake this action to remove the soil. Therefore, a bill such as this is needed.

I am not saying that we have to have removal of all the powers. I want to point out that my friend the member for Ottawa East (Mr. Roy) is absolutely wrong in his assessment of a removal of the powers to take civil legal action. The borough of Scarborough and the owner of the designated place, or wherever the soil goes, is a municipality and its employees are protected from liability in respect of the undertaking, but the burden of such liability is assumed by the crown.

In other words, what we are doing with this bill is asking a local municipality, if it wishes and if the residents in the area—the local municipality in which the problem is—wish to undertake on our behalf, the Legislature's behalf and the government's behalf, to perform the action, remove that soil and we will pay the cost.

We are not imposing on them any legal liability. We are saying that in doing that job for us it will not be liable. If it is sued by anyone, the crown will be liable. The crown will assume all the liabilities that would normally rest with the municipality or its employees.

Mr. Roy: As long as they are acting in good faith; it is pretty wide.

Hon. Mr. Wells: It may be pretty wide, but the member left the impression it was not possible for anyone to sue in this matter.

Mr. Roy: I did not say that. I said you removed the liability clause. You have a perfect defence.

Hon. Mr. Wells: Oh, I am sorry. The member left the impression this right was being removed. The right is not being removed. A person who feels aggrieved will be able to sue the crown, not the borough of Scarborough.

Mr. Roy: Sure they can sue but you have an absolute defence.

Hon. Mr. Wells: The intention is the actual work will be carried out by the engineering firm that would have done it for the Atomic Energy Control Board, would have done it for this government or for the Ministry of the Environment if it had taken the responsibility, or will do it for the borough of Scarborough. This government will pay for the removal of that material. There will be no particular problem, I sense, with those provisions.

Because the Beare Road landfill site was under some kind of cloud, and because we felt we should go through this process once with legislation in this House and not a number of times, no site was named. I recognize that is a problem and I would rather have a site named.

I will tell the members tonight, this bill will go to committee of the whole House. When we deal with it in committee of the whole House, we will move amendments to put in the name of the site as a temporary storage site, and the period of time the material will stay in that site. I think that is reasonable. It is what I would like. It is what I have always wanted. It is easier to say that, of course, than it is to get—

Mr. Cassidy: Why have all this debate? Why did you wave the bill like a red rag in front of everybody in this House by not naming the site?

Hon. Mr. Wells: Because I am not ready to name the site even today; there is still work to be done in that regard. Contrary to everything everyone has said on the other side of the House, we do not have any site picked except for what I already gave as my preference: the Beare Road landfill site. If we can use the Beare Road landfill site, that will be the site named, knowing that may still have to go to court.

I might indicate to the members I already have had talks with the Attorney General (Mr. McMurtry). The Attorney General has indicated he will move under the Judicial Review Procedure Act and refer a question concerning the legality of the bill to the Court of Appeal to speed the process along so we will not be going through a number of courts with a number of appeals. Although that may take a month or two, it will probably speed the process along. That is being put in motion at the present time.

What I am saying to the members is I am going to suggest we do not even have the vote on the bill tonight. I will adjourn the debate in a minute and, when the bill goes to the committee of the whole House, we will put in the name of the site and we will also put in the time limit of the temporary storage site.

I am sorry, the Attorney General is applying not under the Judicial Review Procedure Act, but under the Constitutional Questions Act. I am not a lawyer. They will not even give me a Q.C. He is referring it under the Constitutional Questions Act to five judges of the Court of Appeal of Ontario. That will speed the process along.

10:30 p.m.

But as I say, when we go to committee of the whole House, we will put in the name of the site, we will indicate a temporary storage site, we will indicate the length of time it will stay there and we will indicate those other sections of the act that will not be necessary when the site is there. The only reason some of those sections, those exemptions from acts, are there is so that we can find a temporary storage site without taking an unreasonable length of time.

Just to get the sense of what my friends said when they suggested the sites, I listened very, very carefully, and they did not indicate that there should be an environmental hearing on a temporary storage facility. Did they or did they not? No, they did not feel there should be one.

Mr. McClellan: As long as it is guaranteed on the permanent site.

Hon. Mr. Wells: As long as an environmental hearing is guaranteed on a permanent storage facility; and that, of course, would always be guaranteed. There would be no attempt to remove that.

On motion by Hon. Mr. Wells, the debate was adjourned.

The House adjourned at 10:32 p.m.

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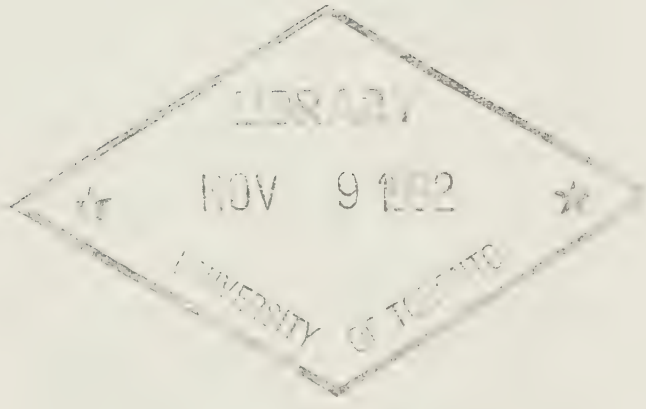
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Second Session, Thirty-Second Parliament
Thursday, October 28, 1982
Afternoon Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Thursday, October 28, 1982

The House met at 2 p.m.

Prayers.

RESPONSE TO WRITTEN QUESTIONS

Mr. Nixon: On a point of order, Mr. Speaker: On Tuesday, an answer was tabled by the government House leader on behalf of the ministry, which was more or less a blanket answer to several questions that have been on the Order Paper well beyond the time limit established by the rules of this House.

You may recall, Mr. Speaker, I brought to your attention earlier this week that a number of these questions had run over the time limit.

The response from the government was not an answer at all. It was simply an indication that the government was not prepared to provide the answers to these specific questions put to the ministry asking for facts on the operation of the government of Ontario.

The ministry indicated that they did not have the time to provide the information under the rules and were not prepared to do so, suggesting that the honourable members of the House go to the services of our library or to the public accounts to find the information they were seeking.

I am sure you are aware, Mr. Speaker, that some weeks ago the library informed us all formally that because of the pressure of business and the fact that their budget had not been expanded as they had expected, they were not able to look after all of the requests that had come from the members, although we have since been personally informed that they have caught up with that backlog.

I simply put to you, Mr. Speaker, that the traditions of this House have always established the rights of the members to put on the Notice Paper specific questions of the ministry asking for information that should be provided in the House.

In the most recent amendments to the rules, the government has come under the rule of the House that provides specific time limits for these answers so that they cannot drag on and on. Now we are provided with what the ministry considers to be an answer under the rules which simply tells us to go suck eggs, or something like that.

I would say to you, it is entirely unacceptable that the government, spending a budget of $23 billion, with all of their platoons of information officers spending all their time trying to make their ministers look good—and usually failing in that connection—does not have the time or the wherewithal to provide the answers to the questions that have been put on the Order Paper.

I believe this is a very serious infringement of the well-known and established rights and privileges of the members of the House, not just the opposition. I believe you, sir, as our spokesman and guardian of these privileges, should take whatever action is sufficient to see that answers are provided by the government and in the time limits established by our rules.

Mr. Mancini: Mr. Speaker, I would like to make some comments on the same point of privilege. I also am quite disturbed by the government's action, or I should say inaction, to clean up the backlog of questions that have been placed on the Order Paper by some members of the House.

I took some time to go over carefully the press release sent to the caucuses by the cabinet office. Basically, it is suggested that there are no financial resources in this time of restraint to answer questions of the members of the opposition, and that we go to the library services, as was mentioned by my honourable colleague, or to the ministers themselves.

Does the cabinet office not feel or believe that if we go directly to the ministers, or if we go directly to the legislative library research service with all of our questions, they also are going to need extra resources to answer the questions we place before them?

The statement which has been forwarded to the caucuses by the cabinet office is nothing more than a smokescreen. This government is the most secretive in Canada. They do not want to inform the opposition of what is going on in the ministries. They want to build up lines of defences. They want to impair our ability to act as good members of this Legislature.

Mr. Speaker, I would suggest that you not allow them, and by them I mean the government, to infringe on our right to carry out our duties.

Mr. Breaugh: Mr. Speaker, I want to raise a point of order. Today, the Toronto Star reported that yesterday, in a secret meeting, the cabinet of Ontario—

Mr. Speaker: Order. You are dealing with a new point. Let us first deal with the first point.

Mr. Kerrio: Mr. Speaker, I would like to address myself to the first matter that was raised here and that was questioned by two of our members.

I have raised questions relating to the Ministry of Energy on matters that you will be aware, sir, in view of the federal and provincial restraint programs, are matters of an urgent nature for the people throughout Ontario, who are seeing energy costs going out of sight. I thought these matters should have been addressed by the Minister of Energy (Mr. Welch). They are very pertinent and we need answers as soon as we can get them.

I would ask you to intervene on our behalf to ensure that we can answer to the people of Ontario about where we are headed in these very important matters and see what the ministry is doing about the cost of energy, while we are attempting to do something meaningful for the people of Canada and Ontario.

Hon. Mr. Wells: Mr. Speaker, I would like to make a few comments on this point of privilege and since the matter has been brought up with your agreement, I would like to read the answer that this government gave because I think it has been misinterpreted.

2:10 p.m.

The answer that was given to a number of questions on the Order Paper read: "The government will attempt to provide an answer to as many questions as possible before the adjournment of this session. It should be noted, however, that the tremendous increase in the number and complexity of questions. . ." and I might just digress there and say that in the first session of the 32nd Parliament there were 282 questions on the Order Paper; to the present time there are 650 questions on the Order Paper waiting for answers.

To continue: ". . . the complexity of questions placed on the Order Paper would require that increased amounts of time and manpower be diverted from present assignments in order to provide the information requested. An alternative would be to increase the resources allocated to the performance of this function. At a time when the government is endeavouring to adhere to an ongoing restraint program, neither course of action would seem appropriate.

"Should there be questions that cannot be answered in the remaining weeks, given these circumstances, members should note that sources other than the Order Paper may be utilized as part of the search for such information.

"For example, the public accounts of Ontario will be of assistance in regard to many of the questions dealing with expenditures. Questions of this nature could also be directed towards the ministers responsible for such transactions during the estimates process.

"All honourable members enjoy access to the research and information services provided by the legislative library, and the Liberal and New Democratic parties each possess their own research capabilities funded through the budgets accorded both parties.

"It is hoped that through a combination of these approaches, with the full co-operation of ministers and members, all honourable members will be able to obtain the information that they seek.

"Every effort will be made to answer the following questions on or before December 17, 1982." Then we give the list of the questions, Mr. Speaker.

It must be noted that in the 650 questions there are now appearing many questions that would normally be asked of ministers during the estimates process. There are many hours devoted in this House to consideration of estimates by ministers when the minister and his staff are there, and I would defy members to find times when the information that has been requested during that estimates procedure has been denied to the members of this House.

Questions relating to the cost of a car, how many staff are in various departments and so forth have traditionally been asked at estimates time. We now find multitudes of questions on the Order Paper. They will be answered in due course, but it does take time to compile all that information.

I want to point out that there is no attempt on the part of this government to deny information to the members of this House. But at some point there is a bit of responsibility on the part of the members over there to search the information out of the public records that are available rather than dump it all on our hard-pressed research staffs.

I should also point out to the members that we will adhere to the standing orders of this House, which state that some form of answer should be provided within 14 days, albeit that this answer may be that it will take us longer to provide a more detailed answer to the question. I should also point out to the members that under standing order 81(d) it is possible for a minister to say that he declines to answer. That is also one of the options offered here; it is in the standing orders.

I want to assure the House that this government stands ready to provide all the information it can. There has been a very great increase in the number of questions, and I think our friends over there should realize that we have tried to give a rather careful explanation rather than just to put in the answers to the questions. They will be answered by December 17. We have tried to explain to members some of the problems we face.

Mr. Sargent: Mr. Speaker, that is just—

Mr. Speaker: No, I think everybody has had ample time to—

Mr. Sargent: Mr. Speaker, on a point of order, then.

Mr. Speaker: No, we are dealing with this point of order.

Mr. Sargent: Why are you part of the coverup too? Sit down for a second. That is a bunch of garbage.

Mr. Speaker: Order. I would ask the member to resume his seat, please. Thank you.

The point of privilege which was raised by the member for Brant-Oxford-Norfolk (Mr. Nixon) was a matter which has arisen from time to time in this House where honourable members have appealed to the Speaker to make a judgement or to adjudicate on a difference of opinion. Obviously, the government has provided an answer. Although the member may not be happy with that answer, that is beyond my jurisdiction or authority to deal with.

I would refer all members to standing order 81(d), which says quite clearly: "The minister shall answer such written questions within 14 days unless he indicates that he requires more time because the answer will be costly or time-consuming. . ."

The government House leader has indicated that the answers will be forthcoming in detail at a later date. He has said quite clearly that he needs more time in order to prepare those answers so I do not see that the member has a point of privilege. The matter has been dealt with.

The member for Oshawa.

Mr. Sargent: On a point of order, Mr. Speaker—

Mr. Speaker: No. I have recognized the member for Oshawa.

Mr. Sargent: I know you have, but why not recognize me for once?

Mr. Speaker: Because he was on his feet first. The member for Oshawa.

[Later]

Mr. Kerrio: On a point of order, Mr. Speaker: I was interested in your assessment of the question that was raised a while ago. You referred to section 81(d) of the standing orders. You made a good point but in order to help you come to some real determination may I just put this on the record?

In question 293, I asked of the minister: "Would the Minister of Energy provide the cost of the quarter page advertisement placed by Ontario Hydro in the Globe and Mail. . ." That was asked in September and that does not require a lot of research.

Interjections.

Mr. Speaker: Order. Quite clearly, that is also out of order.

Mr. Sargent: On a point of order, Mr. Speaker: I submit to you that this is a massive cover-up by the government and I have been trying to—

Mr. Speaker: Order.

Mr. Sargent: My point of order is this: For weeks I have been trying to find out—no one in government knows—how much Mr. Foley, the head of the Urban Transportation Development Corp., makes. The minister thinks he might make $100,000. He does not know; nobody knows. Why in the hell do they not know? They have a huge staff—

Mr. Speaker: Order.

Mr. Sargent: Do not turn this mike off on me.

Mr. Speaker: The console operator has just recognized who was giving directions. Thank you.

AGGREGATE POLICY

Mr. Breaugh: On a point of order, Mr. Speaker: Today's Toronto Star reports that yesterday the cabinet, meeting in secret, overruled an Ontario Municipal Board decision concerning some gravel pit operations near the homes of the Eaton family. The Commission on Election Contributions and Expenses reports

that one family gave at least $13,500 to the Tories in the last provincial election.

Mr. Speaker, are you satisfied this is in order and that there was not a little bit of hanky-panky involved or at least some relationship between a donation of that size and that decision?

Mr. Speaker: Order. As the honourable member may well recognize that is not a legitimate point of order.

UNITED WAY CAMPAIGN

Mr. Speaker: Before we proceed with the business of the House, I would like to advise all honourable members that due to the generosity of the members and the staff we, the Legislative Assembly, have raised $833 from the auction sale and the fun fair today, to go to the United Way. I thank you all for your participation and co-operation.

Mr. Ruston: I think we should recognize the auctioneer.

Mr. Speaker: Of course, we should recognize that because the member for Huron-Middlesex (Mr. Riddell) did such an excellent job in raising the price of that photograph.

Mr. Epp: Was that a legitimate point of order that you raised?

Mr. Speaker: I am not sure.

2:20 p.m.

STATEMENTS BY THE MINISTRY

HOSPITAL FUNDING

Hon. Mr. Grossman: Mr. Speaker, I am pleased to report to the House on the revised funding arrangements we have developed to assist the Ontario hospital system to maintain its level of excellence in the current economic climate. To do this the government has provided us with an additional $110 million which will raise our spending on hospitals to $3.3 billion in this fiscal year. Many members will recall that this is more than the total health budget five years ago.

We have already advised all hospitals of the specific impact the changes will have on them, but I would like to review the general principles of the new funding formula for the members of the House.

In the past, when a hospital reported an operating deficit at the end of the fiscal year, that hospital would then negotiate with the ministry for a full or partial recovery of the amount of the deficit. This has led to an unhealthy debate on the question of underfunding versus overspending. To this end, the government has provided us with the necessary funds to make this a turnaround year in hospital financing.

The base which the ministry had used to calculate hospital budgets was established a number of years ago. Some hospitals argued that it was unrealistically low and this lead to claims of underfunding. This will no longer be the case. All hospitals will be given a new budget base for the current year which is based on what they actually spent to provide services last year, that is the fiscal year 1981-82.

In order to bring that level forward to 1982-83, we will add to that amount an amount for inflation and an appropriate amount for increases in work load. We will further provide additional funds to cover fully the cost of salary increases negotiated under the inflation restraint program when it is resolved by the House.

In future, this new base will be used with appropriate increases to reflect the higher costs of approved services. We will not accept or pay for deficits incurred in this or future years. Because the budget of hospitals will be based on the actual amount they themselves spent in the last fiscal year, hospitals should indeed be able to continue the same level of service.

As my associate deputy minister said in his letter to all administrators, "Hospitals will be expected to manage in a manner which will neither sustain a deficit nor reduce services in a way that would jeopardize patient care." I should pause to clarify that: In other words, hospitals will not have any reasons to, or be permitted to, affect patient care by closing beds or withdrawing services.

We have offered to work with hospital boards and administrators who anticipate difficulty living within these new budgets and I have written personally to the chairman of each hospital board to ask for their assistance in dealing with the inflationary pressure on the hospital system.

The public of Ontario is very fortunate in the excellence of our hospital system and the government remains committed to maintaining that level of excellence. I know all members will recognize this commitment in the decision of my colleagues to provide us with the additional $110 million at a time when many other worthwhile programs are being constrained by the economic forces we face.

Mr. Nixon: Mr. Speaker, on a point of privilege: When government policy is announced in the House it is customary that it be done

before it is released to the press. The information contained in the minister's statement, along with the specific dollars applied to my community, were announced by the minister's colleague the member for Brantford (Mr. Gillies) and were headlines in the local press yesterday.

Surely it is not proper for even the Minister of Health to use the many hundreds of millions of dollars that we are spending in hospital services for political purposes. If he is going to make the announcement of policy in the House, why should not the local Tory members make the announcement to the local papers after it has been made here? Surely it is against the privileges of the House that they once again run this sort of thing through the political machine as has become so characteristic in the recent months of this administration.

Hon. Mr. Grossman: Mr. Speaker, I might respond in this way. The hospitals have been waiting for quite some time to get the final determination of this question. As soon as it was determined by my colleagues, we prepared the appropriate letters and they were mailed earlier this week. I felt it important to get those letters out, and I know the hospitals will appreciate receiving them. I think some received them yesterday.

The information was shared with my colleagues earlier this week at the point at which those letters went into the mail. I will tell members why I am very comfortable sharing it with my colleagues. It is because my colleagues are part of the government which has to make the necessary and difficult decisions to support this program. They are entitled—

Interjections.

Mr. Speaker: Order.

Hon. Mr. Grossman: The members over there have the privilege of criticizing without any inhibition what we have done today and what we have done on previous days. My colleagues on the other hand have to go around and defend, and have to do so every year, the difficult job of raising money and putting taxes on the public to fund these things.

Given that situation, I am proud to be able to equip my colleagues to go out and defend what we do today as equally and as well as they defend on those days when we have to raise the money as well as spend it, to the degree to which they are prepared to defend the government of which they are a part.

The members opposite are part of the system which allows them to criticize it and we respect that right, and they have it now. These people are prepared to defend revenue raising as well as take credit for the decisions. Let us clarify it. These decisions are made by the government. They are not made in this case in this forum. They are decisions that have been made largely by the Treasurer (Mr. F. S. Miller) and the Chairman of Management Board (Mr. McCague) in freeing up $110 million. Those decisions quite properly should be shared with my colleagues, defended by my colleagues and explained by my colleagues. I am proud to have had them out doing that for us as we mount this new expanded base for hospitals.

Mr. Speaker: I thank the member for Brant-Oxford-Norfolk for bringing that matter to my attention. I must confess I was unaware of it, but it does not in all honesty constitute a point of privilege, as you well know.

Mr. T. P. Reid: Mr. Speaker, I gather in view of your saying that it is not a point of order or privilege, I would not be allowed to say—

Mr. Speaker: That is right.

Mr. T. P. Reid: —that is probably the worst justification—

Mr. Speaker: Order.

DEVELOPMENTALLY HANDICAPPED PEOPLE

Hon. Mr. Drea: Mr. Speaker, I would not mind being able to make an announcement in here without reading about it in the press first.

I would like to announce details of a five-year plan being undertaken by my ministry which will form the framework for the continued development of community living opportunities for the developmentally handicapped people of this province.

This policy of providing community living opportunities for those who are able to benefit from them has been a primary focus of this ministry since 1975. In those seven years we have had great success in promoting community living for developmentally handicapped people. Let me outline some of our major accomplishments.

In the area of community residential care, we have created 2,800 new places for children and adults. At the same time, we have more than doubled the capacity of our workshop and training program, from 3,600 places in 1975 to 7,600 on March 31, 1982.

Another highly successful program has been the introduction of the adult protective service workers who assist developmentally handicapped

adults in coping with the day-to-day activities of independent living. These include such practical matters as finding accommodation and work, negotiating rents, making legal agreements and so on. There are now 130 adult protective service workers in the province providing support to over 6,000 clients.

2:30 p.m.

Since 1975, we have also developed a variety of services for developmentally handicapped children. One example is the parent relief program which offers short-term care for handicapped children so that their families can take vacations. Another is our special service-at-home program. Under this program, the province provides funding to parents to purchase specialized services for their handicapped children who have more complex needs; for instance, children who are developmentally handicapped and also have a physical disability.

As a result of the development of these community programs and services, we have reduced the population of our institutions over the last seven years. To give members a specific figure, as of 1980, 3,800 residents had left our facilities, with a net reduction in our facility population of about 1,200. Since 1980, the population has been further reduced by more than 200. Most of those who left were trained and placed in the community by my ministry.

I see that as a testimony to the wisdom of this policy direction and the very capable way in which this policy has been carried out in co-operation with the Ontario Association for the Mentally Retarded, its local affiliates and other agencies.

In the past seven years we have increased the annual allocation of funds for community services to the developmentally handicapped from $10 million in 1975 to $118 million in 1982. The projected expenditures for this year include: $49 million for residential programs; $29 million for vocational and prevocational training; $6 million for programming in homes for special care; $17 million for home support programs; $11 million for special needs programs; $2 million for community support programs for adults, such as community living courses and grants to district working groups; and $4 million for the adult protective service worker program.

In addition, we are spending $11.5 million for developmental day care through the day nurseries program.

We have now reached a point, however, that in order to continue with this process of reducing the population of our institutions and expanding our community resources we must consolidate our gains and adapt our plan of action to changing conditions. The five-year plan I am announcing today does exactly that. In other words, what I am announcing is not a new policy direction, but the next phase of an ongoing process that has already proven successful.

It is also a plan designed to reflect today's needs and utilize our available resources in such a way that they will best meet the requirements of all our developmentally handicapped citizens.

There are basically two elements to this five-year plan. First of all, and this is top priority, we plan to expand our community resources for the developmentally handicapped people of this province. That includes increasing community services to the whole range of developmentally handicapped persons.

Second, because of our past success in reducing our residential population, we intend, as the next logical step, to consolidate our institutional services by reducing the bed capacity of our facility system.

After looking at all options, we have concluded that the best way of effecting that reduction in bed capacity is through a combined action—the further reduction of our residential population and the phased closure of six of our schedule I facilities. The provincially owned schedule I facilities are the facilities directly operated by my ministry.

Let me tell members what this five-year plan will mean in dollars and cents. Over the next five years, we plan to spend approximately $33 million in the expansion of our community service system. An estimated $10 million will be new money; the remainder, approximately $23 million, will be generated through the phased closing of these six facilities.

I want to quickly outline some of the ways we plan to spend the $33 million over the next five years. First, we plan to develop a number of supervised community living alternatives for children and adults currently living in intensive settings such as group homes who no longer require this kind of 24-hour supervision.

Basically, we see these supervised community living alternatives taking two forms. Under the first alternative, the handicapped adult lives on his or her own, probably in an apartment, with supervision and support appropriate to each individual's needs. Under the second, the handicapped individual is placed in a family home program. Here, he or she receives support within the context of family living. In addition,

where necessary, there will be a worker assigned to assist a number of individuals and families.

We expect to develop 750 supervised community living places over the next five years. We also plan to provide funds to agencies to provide 1,881 new employment and training places. These new funds will be primarily directed towards more job-oriented training for developmentally handicapped clients.

In addition to these services, my ministry intends to expand our family support services. These include services such as the provision of in-home training to families with developmentally handicapped children. Since 1975, the system of family supports in Ontario has grown to the point where it now serves approximately 20,000 families a year. We plan to add 1,000 more families to that system.

We also intend to develop 250 community spaces for severely handicapped adults and 200 for severely handicapped children. Although we have created a large number of residential alternatives to institutions since 1975, few have been geared to the needs of the more severely handicapped. We hope to remedy that situation over the next five years.

Here is an important point: as one of the most positive aspects of this five-year plan, we intend to virtually eliminate the long-term institutionalization of children in schedule 1 facilities in this province. This brings me to the second part of this five-year plan designed to ensure a better quality of life for the developmentally handicapped people of Ontario.

As I said earlier, we also intend to consolidate our institutional services through the continued reduction of our facility population and the phased closure of six of our schedule 1 facilities. We intend to begin with the closure of the St. Lawrence Regional Centre in Brockville in the fiscal year 1983-84. This will be followed by the closure of the Bluewater Centre in Goderich in the latter part of the same year.

In fiscal 1984-85, the St. Thomas Adult Rehabilitation and Training Centre, the START Centre, will be closed; followed by Pine Ridge in Aurora in the latter part of the same fiscal year. We plan to close D'Arcy Place in Cobourg in fiscal 1985-86 and, finally, the Durham Regional Centre in Whitby in fiscal 1986-87.

During the same five-year period we also intend to reduce the population of the Oxford Regional Centre in Woodstock by 30 to 35 residents per year between 1983 to 1986 for a total of 173 residents. In order to determine which facilities should be closed my staff looked at a number of factors, including the following.

We looked at program considerations such as the proximity of alternative facilities and the suitability of the buildings for the programs we want to provide. For example, is the building accessible to wheelchairs? We were also mindful of the greater opportunities in a community setting for those residents able to move there.

A second factor was the effect on both residents and staff who would have to be relocated if a facility were closed. A third factor was the impact on the community of closing a facility in terms of lost employment and income. We also looked at the cost of operating, upgrading and maintaining the various facilities. The six facilities to be closed were chosen on the basis of a number of considerations including these four.

All residents living in these six facilities will be looked after in one of two ways. Those who are not able to move out into the community will be moved to other facilities. I think it is important to emphasize that this five-year plan will allow us to expand our community services while continuing to provide a high level of care to residents remaining in our facilities.

Those residents who are ready to take on a more independent lifestyle will be placed in group homes, supervised community living situations and other community alternatives. I am talking now not only about residents from the six facilities to be closed but residents from all our facilities.

We estimate the phased closing of these six facilities over a five-year period will mean an overall reduction of 1,163 ministry staff and 989 facility beds. In other words, we expect it will mean a better way of life in the community for a minimum of 989 developmentally handicapped residents. However, I emphasize that no resident will move into the community until we are assured that he or she has an appropriate place to go with adequate access to day programs. This is in keeping with the practice that we have followed for the last seven years.

I would like to stress as well that my ministry will also be playing an active role in the relocation of all surplus staff. Personnel officials will be conducting interviews with all affected staff long before the date of any facility closing. Information on vacancies within the facility system, as well as other government jobs open, will be provided to all staff.

2:40 p.m.

As I pointed out, one of the factors we looked at in selecting the six facilities was the proximity of other facilities and government settings. The idea here was to ensure the minimum personal disruption to all individuals, including employees affected by the closures. At the same time, employees will be assisted with the costs of relocation, including such items as trips to locate accommodation, movement of household effects, temporary accommodation and incidental travelling expenses.

I want to point out that in the past few years our ministry has had experience with a number of facility closures. Our record in finding alternative employment for the majority of those directly affected has been excellent and I believe reflects our concern and commitment to our employees. Given the long-range strategy I am announcing today, we have every hope of continuing that excellent record.

I started my statement today with a brief outline of how our system of community services has grown over the last seven years. The fact is this growth would not have been possible without the assistance and collaboration of many agencies, in particular the Ontario Association for the Mentally Retarded and its local affiliates. We trust that co-operation will continue in the future.

In closing, let me say that over the next five years we plan to continue to expand and broaden our services to the developmentally handicapped people of this province and to do so in the most responsible way possible, with very special emphasis on the quality of human values and the humanity reflected in new opportunities for them to live and participate in the community to the fullest of their potential.

HALF-BACK PROGRAM

Hon. Mr. McCaffrey: Mr. Speaker, I would be delighted to make a statement in the House which appeared in the press at any time, and I think this is it.

It is my pleasure to announce to the House that the Wintario Half-Back program will return on Monday, November 1, offering people in our province substantial discounts on the purchase of Canadian books by redeeming their old Wintario tickets.

As members will recall, the Half-Back program began in 1978 as an experiment to encourage more active participation in Canadian culture. Since then, more than 3.4 million Wintario tickets have been redeemed on Canadian records and feature films, the live performing arts, subscriptions to Canadian magazines and mass market Canadian paperback books. By all criteria, the ministry's experiment was a success.

Having refined and tested the program, we are now ready to launch it on a much-expanded basis, beginning with the Canadian book industry. Qualifying for discounts will be any book written by a Canadian citizen or landed immigrant, living or not, regardless of the book's language, content or publisher.

Starting November 1 and through into 1983, Ontarians will be able to redeem their old Wintario tickets to a value of 50 cents each at close to 400 participating bookstores and book departments across the province. Tickets from tonight onwards are eligible for the program.

The public may redeem Wintario tickets for a discount of up to half the retail price of a book or $15, whichever is less. For example, on a book that costs $16, one can receive a discount of up to $8 by redeeming up to 16 Wintario tickets. On a book that costs $40, the maximum discount is $15, for 30 Wintario tickets.

Members will be pleased to know that the Half-Back program was developed in response to requests from the Canadian book publishing and bookselling industries. The ministry has worked closely over the past six months with representatives of the Association of Canadian Publishers, the Canadian Book Publishers' Council and the Canadian Booksellers Association in designing the program.

The program should have a major economic impact on the book industry, an industry that makes a very significant economic contribution to our province. Recent figures show that Ontario based publishers and agents account for 83 per cent of all book sales in the country and 98 per cent of all English language book sales. Total book sales in 1980 were $900 million, of which $120 million or 14 per cent were for Canadian authored books. This percentage increases to 28 per cent when sales of books published by Canadians are added.

Thus, the Half-Back program will help strengthen the Canadian sector of the book industry. Its timing will coincide with the major pre-Christmas selling season and we are confident it will add significant new sales for publishers of Canadian books, open important new audiences and enhance the ability of Ontarians to purchase and enjoy Canadian books. If this phase of the Half-Back program is successful, it will be expanded early next year to assist other areas of cultural life in Ontario to include admissions to live performing arts and admis-

sions and memberships to art galleries and museums.

In closing, I would like to invite all members of the House to start saving their old Wintario tickets now. In this way, they will participate in our efforts to tell Ontarians that culture is good business and that it contributes significantly to the economy of our province.

JOB CREATION

Mr. T. P. Reid: On a point of order, Mr. Speaker: I notice that the second-in-command of the Supreme Soviet over there, who likes to share matters like the purchase of Suncor with his colleagues who have to defend it, has not risen in his place to give us a statement on his views of the statement of Mr. Lalonde yesterday. Surely that should be one of the primary considerations before the House today—

Mr. Breithaupt: He should make a comment in the House.

Mr. T. P. Reid: In the House, yes. Does the Treasurer (Mr. F. S. Miller) not have something to say?

Mr. Speaker: Order, please. This being private members' afternoon, I would caution all members that we have a very strict time limit on ministerial statements and we are approaching it very quickly.

ONTARIO ADVISORY COUNCIL ON SENIOR CITIZENS

Hon. Mrs. Birch: Mr. Speaker, today I am pleased to table the eighth annual report of the Ontario Advisory Council on Senior Citizens.

This report, like the seven before it, represents the very excellent work carried out by dedicated members of the council under the direction of Mr. Douglas Rapelje of Welland, who served as chairman with distinction for three years and as a member for another three years. At present, the chairmanship of the advisory council is in the very capable hands of Mrs. Fran McHale of London.

All members of the Legislature will receive a copy of the report today.

ORAL QUESTIONS

JOB CREATION

Mr. Peterson: Mr. Speaker, I have a question for the man who brought down interest rates, the provincial Treasurer. I share with my colleague a concern that the minister would not have brought to this House a statement this afternoon with respect to his response to the so-called mini-budget, as he called it, at least half budget, unbudget or statement of the federal Minister of Finance yesterday.

Mr. Speaker: Question, please.

Mr. Peterson: I believe it further reveals the contempt of these ministers for this House that we have dealt with today. We have repeatedly called on the Treasurer for a job creation program that expresses his own ideas. I think that has been mentioned 21 times or so since this House was called back. We know his projections for the provincial economy are completely out of whack, and unemployment is far higher than he predicted. Indeed, employment is far lower.

Contrary to his expectations, in May his ministry's latest estimates of gross provincial product for the second quarter of 1982 show not only a decline in real production for the fourth quarter, but a decline in current dollar production for the first time in 22 years, all of which speaks to the severity of the recession in this province. Will the Treasurer tell this House what he is going to do now that the federal government has announced this program? What are his plans?

2:50 p.m.

Hon. F. S. Miller: Mr. Speaker, on the first part of the question, as to why I do not have a statement, even the minister responsible in Ottawa did not call his statement yesterday a budget. In fact, he did not even call it an economic review. He stood up during normal ministerial statements in the House and presented it there. I would suspect it is without precedent that an hour and a half or whatever time it took has never before been used to present what I have to call a budget in that way.

Second, I point out to my friend that when the federal government has brought forward its budgets in the past, be they Conservative or Liberal governments, I have not reacted the day after. Please go back in the records to check. I have taken a couple of days at least before reacting, for the simple reason that I have learned—

Mr. Nixon: You sure crucified Crosbie.

Hon. F. S. Miller: I did not react the day after Mr. Crosbie's budget; I reacted two days after his budget. I have learned it is always wise to have my tax people look at the written documents that support these statements, apart from the rhetoric used to present them. In most cases we like to see the details before we jump to

conclusions, and I would suggest that this is normal and prudent.

The balance of the question has been asked, as the member says, 21 times or more, and I would point out to him that he does not like the answers. I do not like the state of the economy. At least yesterday we saw some willingness on the part of the federal government to invest some of its reordered priorities in job creation. If my reading is right, they have put about half a billion dollars in the next 18 months towards that. I would simply like to compare that in quantum with the amount I had in my tiny budget, some one quarter the size of theirs, last May, when more than that was put into Ontario alone for job creation.

Mr. Renwick: No, it was not.

Mr. Breithaupt: You just reshuffled the deck.

Hon. F. S. Miller: That is factually correct. I said before this statement came out that we stood ready to work with them. We do stand ready. Mr. Axworthy will be here some time this afternoon. I will be meeting with him and we stand prepared to co-operate.

Mr. Peterson: The minister is aware that this follows on the news of another set of firings or permanent layoffs of an additional 1,100 people at Falconbridge yesterday. He is aware of the report of the Canadian Institute for Economic Policy dealing with the auto industry, and whether he agrees with the conclusions or not it speaks fundamentally to the severe structural problems that we have in this province in the resource sector as well as in the manufacturing sector.

Is the minister going to have discussions with Mr. Axworthy about those very basic and deep problems? Is he going to address them? Is he going to use some of the moneys he has saved from the restraint program, anywhere between $440 million and $820 million, depending whom one talks to in his ministry? He has freed up money through the restraint program. Is he going to use it to deal with these structural and basic problems in the Ontario economy?

Hon. F. S. Miller: One point I would make about yesterday's comment is that control over the cash requirements of this nation has obviously not been well kept. That is not the fault of the present minister. Anybody who sees his cash requirements change by 350 per cent in less than—

Mr. Peterson: What has this got to do with the question?

Hon. F. S. Miller: It has a lot to do with the question. The member just does not like to hear the fact that Liberals cannot manage money; that is what he does not like to hear.

Interjections.

Mr. Speaker: Order.

Hon. F. S. Miller: I want to point out that through internal hard decisions, my colleague the Chairman of Management Board (Mr. McCague) and I have managed to keep our spending, as Ontario Finances will show, to the predicted levels this year even though we have faced the same kinds of problems as the federal government. I have flexibility to help.

Mr. Cooke: Mr. Speaker, in view of the fact that the job creation program the federal government announced yesterday will create very few jobs—10,000 to 15,000 in Ontario over the next 18 months, I believe—would the Treasurer not agree that this, combined with a number of jobs that will be lost because of his wage control package, which is estimated to be around 12,000 jobs because of decreased consumer demand, will leave us no further ahead as a result of yesterday?

Does he not believe one of the things he should do, now that the federal government seems to recognize to a very small extent that jobs are the number one problem, is to withdraw the wage control package as part of a program of recovery in this province?

Hon. F. S. Miller: Absolutely not, Mr. Speaker. The member for Windsor-Riverside has had some five weeks of talking to us both in this House and in committee on this issue. We fundamentally disagree. If what the honourable member says is right, all I need to do is double the salary of every civil servant in this province and there will be no problem.

Mr. T. P. Reid: Mr. Speaker, it is interesting that the Treasurer should talk about federal Liberals being able to manage when it was his criticism of his federal colleagues that helped lead to the defeat of the Clark government.

Mr. Speaker: Supplementary, please.

Mr. T. P. Reid: If it were not question period I would talk about the purchase of Suncor, the land banking, advertising, Minaki Lodge and a whole host of other wasteful topics.

The federal government has indicated it will put something like $500 million into job creation. The Treasurer indicated on the radio this morning that 40 per cent of those jobs created by the federal government would usually be in

Ontario; that is usually the way the figures work. Is he prepared to put up an additional $200 million, therefore, which would be 40 per cent of what the federal government is putting into the program, for job creation in Ontario?

Hon. F. S. Miller: Mr. Speaker, I believe the member for Rainy River was at my press conference yesterday. He was getting his script from it, as I recall. I saw his comments in the paper afterwards.

Mr. T. P. Reid: Unfortunately, I missed most of—

Mr. Speaker: Order.

Hon. F. S. Miller: In any event, there may have been some misunderstanding of the very issue the member mentioned. He has stated it correctly, by the way. Not all the press did, because the question came to me yesterday, "What part of the $500 million do you think the federal government is going to spend in Ontario?" My answer was, as the member said, "Forty per cent is about what we would expect, and that is about $200 million."

Somewhere else in the press conference came the question, "Are you going to match it?" That is the question the member just posed. I said at that time that until I have had time to talk to Mr. Axworthy—and possibly to Mr. Lalonde, I would add today—to see what the terms and conditions of their program are, it is very hard to say what is expected of us. Therefore, I have not said we have $20 million, $400 million or $200 million. We simply have to know what is required.

When we talk in billions of dollars, the impression is that it is a vast amount of money and that a billion dollars would solve all our problems. I think the member and the third party would agree that if we have a million and a half people out of work and if they each need $200 a week minimum through unemployment insurance to survive, that is $300 million a week; so a billion dollars runs about three weeks.

It really is not, in total, the kind of money that is going to solve the economic problems of this country. But no one program is, and I think we have to focus on that. The question is how much use is that going to be, particularly if it is aimed at people who are exhausting their unemployment insurance benefits.

CADILLAC FAIRVIEW

Mr. Peterson: Mr. Speaker, I am surprised at the Treasurer's answer in view of the very exciting $750-million Board of Industrial Leadership and Development program which was going to solve all the problems of the world.

However, let me change to the Minister of Consumer and Commercial Relations. On Tuesday we had a discussion about the Cadillac Fairview-Greymac transaction and, as I recall, the minister stated in the House that he would be happy to invite Greymac Credit Corp. in to talk about its purchase of some 11,000 Cadillac Fairview units.

I am sure the minister is aware that yesterday, presumably under his instructions, the Tory members on the standing committee on general government defeated a motion by our party to have this whole matter investigated by the committee. I understand they also defeated a further motion to investigate it some time before the closing.

Is the minister prepared to have this whole matter investigated in some way or other, such as by a committee of this House? There are too many ramifications of this deal, too many unknowns. It has too big an effect on the rental market here in Toronto to let it go by unscrutinized. What is he going to do about it? Why will he not allow a committee hearing on this matter?

3 p.m.

Hon. Mr. Elgie: First of all, Mr. Speaker, let us not leave, by innuendo, any suspicion in anyone's mind that this government is not concerned about the effect that interest rates are having on everybody and, in particular, the impact they have on tenants when the cost of financing and refinancing buildings is passed on to them. This is a real problem that we all have to face.

Interjections.

Mr. Speaker: Order.

Mr. Peterson: With great respect, that has nothing to do with the question I asked. Why would the minister not allow an investigation?

Interjections.

Mr. Speaker: Order.

Hon. Mr. Elgie: The issue the Leader of the Opposition is raising today is the issue of whether there should be some large-scale investigation into the sale of property. Several sales of property take place each year. Is he saying there is some implication that Cadillac Fairview is acting improperly in this transaction? If he is, then he should say so publicly outside this room. Is he saying that Greymac Credit Corp. is acting improperly in some aspect of this transaction? If

he is, then he should say so publicly outside this room.

I have received nothing to date to indicate to me that there is anything improper about the price or the reported rates of interest. I have indicated to the honourable member and to others that I am prepared to request that Greymac come into my office and discuss details of the transaction. Indeed, I have already written to Mr. Lumley requesting that the Foreign Investment Review Agency review the transaction.

Mr. Peterson: Oh? Why is that if there is nothing the matter with it?

Hon. Mr. Elgie: Because, if my friend recalls, there have been insinuations and concerns expressed in this House and by tenants about the impact of foreign capital in this deal. They are concerned about it. I think the minister should respond to matters that concern the public and should respond in accordance with their concerns. If the member does not agree with that, then he should say that too.

Mr. Speaker: Just before we move along: I am sure we all get caught up in the emotion and the excitement of the debate. I ask the Leader of the Opposition to withdraw the reference he made a few moments ago.

Mr. Peterson: I was going to do it before you asked.

Mr. Speaker: Thank you very much.

Hon. Mr. Elgie: What did he say? I was not involved in that.

Ms. Copps: He used the word "hypocrite."

Mr. Speaker: He used an unparliamentary word. He called you a hypocrite.

Hon. Mr. Elgie: Well, does he want to meet outside and we will talk about that?

Mr. Peterson: The minister is pugnacious. I am saying to the minister what other people are saying to him; the executive committee of the Metropolitan Toronto council, for example. Is he aware of what transpired at the executive committee yesterday? Is he aware there is a great deal of concern by a lot of people? If he is insulated from that, then he does not know the realities of what is happening out there.

It is a huge transaction. It represents some five per cent of the controlled rental stock in this city. He knows there are implications with respect to the potential foreign involvement. That is only one aspect of it, one among many. Because a lot of this financing probably will be passed through and the tenants will be asked to participate in that, and because of the huge consequences, he has an obligation to look into that. I am asking him whether he will permit a committee to look into it. Why will he not?

Hon. Mr. Elgie: The reference to the Metro executive committee is interesting, because I see reports in the paper now that some of them did not know what they were voting for.

Hon. Mr. Ashe: The mayor included.

Mr. Speaker: Order.

Hon. Mr. Elgie: Let me just indicate very clearly that the Residential Tenancy Commission, under the terms of the legislation, has an obligation to look into transactions. They have the authority to do so. If the authority is not sufficient, I have already indicated that I am prepared to look at that and review it. But they have certainly demonstrated quite ably that if there is anything in the transaction which was not appropriate, they can deal with it. I think that is the proper forum for rent increases to be dealt with.

Mr. Riddell: Mr. Speaker, on a point of order: I think it is unbecoming of a member of this House to suggest that another member step outside the House to deal with the matter.

Mr. Speaker: Order.

Mr. Riddell: I mean, I would dearly love to be invited—

Mr. Speaker: Order. The honourable member will please resume his seat. There is nothing out of order.

Mr. Riddell: Let's retain the dignity of the House—

Hon. Mr. Elgie: Tell him that.

Mr. Speaker: Order.

Mr. Riddell: I'll step out any time—any time you want me to.

Interjections.

Mr. Speaker: Order. Now that you have both had an opportunity to vent your frustrations, I will recognize the member for Etobicoke.

Ms. Copps: Mr. Speaker, on a point of privilege: I do not want this thing to get carried away but, in view of the fact that this Legislature is looking at the question of family violence, I think it is not becoming of the House to have any member invite another member outside. I say that in all sincerity.

Interjections.

Mr. Speaker: Order.

Mr. Philip: Mr. Speaker, can the Minister of

Consumer and Commercial Relations tell the House why tenants should be paying for corporate reorganization, which is what he is allowing to happen? Will he impose a moratorium on the sale of large buildings until his government has in place legislation that will protect tenants from the kinds of exorbitant pass-throughs that this company and others are able to get on the sale of buildings?

Hon. Mr. Elgie: Mr. Speaker, I have already indicated very clearly that the Residential Tenancy Commission is the place to review the nature of a transaction to make sure that it is an appropriate one and that the carrying costs involved in such a purchase are phased in over a period of time. I have indicated to the House that this matter is under review by the courts, but I support that principle and will continue to support it. I do not feel it is an issue that needs to be dealt with in this place but, rather, can be dealt with more appropriately at the time of the hearing.

Mr. Peterson: I would be happy to step outside with him—

Mr. Speaker: Supplementary, please.

Mr. Peterson: —except I am afraid he would try to do to me what he has been doing to the member for Sudbury East (Mr. Martel) for years now.

The minister asked me to make some projections—

Mr. Speaker: Order.

Hon. Mr. Elgie: On a point of privilege, Mr. Speaker: If the member is casting aspersions on what I look upon as a very real friendship that has developed in this Legislature between a member of the government and a member of the opposition, then I think he should clearly think over what he is saying, because I think those kinds of things are very important in life. If he has some objection to it, let him say so.

Mr. Wildman: On a point of order, Mr. Speaker: I challenge the Leader of the Opposition to say that when the member for Sudbury East is in the House.

Mr. Speaker: Order.

Mr. Peterson: I have never seen the minister so sensitive about so many things, and justifiably so. But he asked me some questions about Cadillac Fairview. There is no question that, by and large, Cadillac Fairview has been an exemplary landlord, but that is not the case with Greymac. The minister is aware, for example, that Greymac was convicted in 1980 of some 29 violations of city fire safety, building, plumbing and zoning standards.

When they are going to become a massive landlord, as it appears they will unless there is an investigation, perhaps we should be looking into these matters. That is what I am suggesting to the minister. I am also suggesting that he is blind to the realities here. We have an opportunity to look into this situation, and it should be done by a committee of this House. Why is the minister stonewalling it?

Hon. Mr. Elgie: I have heard the allegations about other properties owned by Greymac, and I already have a member of my staff verifying those comments at city hall. That, of course, is one of the matters I will be speaking to them about when I meet with them in my office.

3:10 p.m.

JOB CREATION

Mr. Foulds: Mr. Speaker, I have a question for the Treasurer, who has waited in vain through three budgetary statements by the federal Liberal government over the past year. As the last statement, yesterday afternoon, indicates probably the final word of the Liberal government on their job creation program, and as it contains no long-term employment strategy and obviously no help for the restructuring of Ontario's economy in either the resource sector or the manufacturing sector, can the Treasurer tell us precisely what he is prepared to do to create permanent jobs in Ontario, or is he simply going to tag along with the ad hoc federal program?

Hon. F. S. Miller: Mr. Speaker, I assume that is not the final word of the government. If it were, I would have thought the Minister of Finance would have called it a budget. The only way it may be final is that, one hopes, as a government they may be defeated by the only legitimate alternative to them in Ottawa, a party I think could do a heck of a lot better running this country than Mr. Trudeau's government has done in the past few years. I simply say that.

Mr. Cooke: That's why you opposed their one and only budget.

Mr. R. F. Johnston: You were not so big on Mr. Clark.

Mr. Speaker: Order.

Hon. F. S. Miller: Obviously there is not going to be some sudden, magic solution to the problem. I would be the last to say that. I have tried to say in this House and in other places that economists for a change are at least starting to

agree the economy is moving up instead of down.

Mr. Renwick: It is not and you know it.

Mr. Speaker: Never mind the interjections, please.

Mr. Renwick: Please respond.

Hon. F. S. Miller: I have tried to point out that even people like Mr. Beigie, who I believe was before the committee the other night, and a number of others have said the measurable human statistics that are very real to the honourable member and myself are not going to get better. They probably will get worse; I am not denying that.

One suddenly does not turn around an economy, but we believe a couple of things in last night's statement were good. Last year's most disastrous November budget did more than impose a set of taxes; it destroyed a set of beliefs in this country that one was rewarded if one took risks. Last night, I saw a glimmer of a return from that socialist viewpoint expressed by the federal party.

Mr. Foulds: Can I ask the Treasurer to set aside his ideological straitjacket, his rhetoric and his cant for the moment and answer very simply how long he is is going to wait for the economy to turn around?

What steps is the Treasurer going to take to begin the hard work of restructuring and rebuilding Ontario's economy when it is evident, as he admitted earlier today, that at best Ontario is going to get 24,000 short-term jobs over the next 18 months, when unemployment totals more than 500,000 people and when the number of jobs, which averages out to 1,333 a month, will not even match 1/10th of the number of exhaustees on unemployment insurance who will be coming on to the scene in Ontario on a monthly basis over the next year?

Hon. F. S. Miller: My friend certainly plays with figures. I do not know where this figure of 1,100-odd jobs a month comes from. He likes to put everything in concrete terms. Unlike him, I really do not believe governments by themselves can solve the kind of problem he is talking about. Every time a party like his has gotten into power in this world it has destroyed the economic system, it has never made it work.

The member has a naïve, academic belief that socialism works; it does not. The only thing that will work is a return to a consumer market society. That is going to happen slowly; it is not going to happen overnight. People like the member continue to destroy the confidence of consumers in this country. That is one of the essential ingredients of a turnaround.

Mr. T. P. Reid: Mr. Speaker, we have an opportunity to deal not only with short-term problems but also with long-term problems. Is the Treasurer going to be talking with the federal people about productivity in the Ontario economy? Is he going to be talking about apprenticeships and on-the-job training while we have an opportunity, when things are not at the most highly productive level, when companies and industries now have time perhaps to train or retrain people, because they are not using their capacity at 90 or 100 per cent as they are usually? There are opportunities here.

Is the Treasurer going to be dealing with those kinds of problems so that we will have a trained work force to handle the jobs when the world economy turns up?

Hon. F. S. Miller: Mr. Speaker, the other night in the committee, while listening to briefs, I was commenting that I accepted as a statement of fact something said by Mr. Clifford Pilkey. I do not always agree with Mr. Pilkey. I agreed with the one thing he said, though, when he said productivity in Canada was not lower than it should be because we had a bunch of lazy workers—

Mr. T. P. Reid: Nobody said that.

Hon. F. S. Miller: No, no. He was simply saying—I am not implying those were the member's words—that productivity depended upon the tools given to workers so that they could use them in a more useful and productive way. I accept that.

The question then is, under what circumstances does a country get its industry into a more productive stance? First, there must be savings or foreign investment. We either generate the money in our own economy or people bring it in and put it into our factories. It happens that when things are very slow, savings are low—

Mr. T. P. Reid: But they are not. They are the highest they have ever been.

Hon. F. S. Miller: I am talking about the savings available in factories for reinvestment, not the savings in the hands of consumers, which are high.

One has to take away from all those savings that consumers have in the bank the money governments borrow, because that is the only money that is left over for productivity improvements. That is one of the areas where our country has major difficulties, and that is one of

the reasons we in this party have continued to stress the importance of a prudent fiscal policy.

If we borrow all the money back that people put into the bank just to run the country for services we have not taxed them for, then obviously nothing is left for productive increase.

Mr. Cooke: Mr. Speaker, I would like to ask a question of the Treasurer. We have some temporary jobs out of yesterday's statement. We do not know what he is going to do to tag on to that. What is his government prepared to do? There was nothing mentioned yesterday, and the Treasurer did not answer this question earlier today; nor was there anything in his budget in May about the structural problems in our economy.

We could mention another report that came out which pointed to the structural difficulties of the auto industry in our province. We know the problems in the resource sector and the machinery sector. All the minister has done at this point is to institute a few technology centres, and that does nothing about the basic problems in our economy.

What is the Treasurer going to do? What new programs is he willing to institute rather than continuing to flag around the Board of Industrial Leadership and Development, which has done nothing about those deep-seated problems in Ontario's economy?

Hon. F. S. Miller: First, Mr. Speaker, I suspect the honourable member did not want us to put those tech centres in. I argue that is exactly what is attempting to attack the structural problems. We have to get productivity improvements. The member's friend the member for Rainy River (Mr. T. P. Reid) just talked about that.

Why do we have a computer-aided design and computer-aided manufacturing centre? Why do we have a robotics centre? Why do we have an auto parts technology centre? Those centres are there to assist companies to learn how to use modern technology. If the member told the government to do that, he should not criticize it. If the member wants to jump on the bandwagon now and pretend it is his idea, I say to him, please jump on.

Mr. Cooke: The minister does not even know what he is going to do with them. He does not even have terms of reference. It is the phoniest con job he has ever tried.

Hon. F. S. Miller: May I suggest, then, if the member believes all that nonsense—

Mr. Speaker: Order, please. I caution all honourable members that more than half of question period has gone by. We are still on leaders' questions. With all respect, I think there is too much time being used up on interjections and responding to interjections. Does the Treasurer have a further reply?

Hon. F. S. Miller: No.

3:20 p.m.

RESIDENTIAL TENANCY COMMISSION GUIDELINES

Mr. Foulds: Mr. Speaker, I point out that I have had seven minutes so far. I want to ask a question of the Minister of Consumer and Commercial Relations and bring up the matter of Greymac again.

In view of the fact that the Greymac takeover is threatening the security of nearly 11,000 tenants in the refinancing of the Cadillac Fairview units, and in view of the Toronto Star story today that Peter Pocklington is trading 2,584 Toronto apartments to American interests, will the minister tell me what the government and he are going to do to protect the interests of the tenants who face huge increases simply as a result of corporate reorganization?

Hon. Mr. Elgie: Mr. Speaker, I would like to think that all of us, since 1975, have recognized the need to give some extra protection to tenants in terms of the expense that is involved in renting housing accommodation.

What the honourable member is really talking about is whether society should start intervening in the right to exchange and transfer property. The member for Waterloo North (Mr. Epp) has a resolution before the House on that very issue, the issue of interfering with the fundamental rights of people to own and transfer property.

Surely what the member should be interested in is the capacity of the Residential Tenancy Commission and its commissioners to look into the realities of the transaction to see whether it was a legitimate one, at arm's length, without collusion. Although I have some assurance this can be done, if other things are needed to make certain that it is done, then I am prepared to look at them to ensure that those transactions can be seen through and that the transactions are fair.

Surely the member for Port Arthur, as a member of this Legislature, will agree that this is the fundamentally sound position to be taking.

Mr. Foulds: Does the minister not think it is also a fundamentally sound position to be taking that the tenants have a right to housing? Does he

not think that is a fundamental resposibility of his?

Can the minister tell us what objection he has to a one-year moratorium on the refinancing and resale of large buildings? Can he also tell us why tenants should face huge rent increases to finance the takeover of the buildings they live in by either foreign or domestic interests?

Hon. Mr. Elgie: Again, we are getting down to the fundamentals. On the one hand, we have a rent review process and a commission to evaluate the legitimacy of the transaction. I support that. On the other hand, the member is saying the government is not interested in the availability of housing stock when he knows very well that is flying in the face of the activities of the Minister of Municipal Affairs and Housing (Mr. Bennett)—

Mr. Foulds: You mean the inactivity of the minister of housing. What are you talking about? You had some credibility, but don't defend that cluck.

Mr. Speaker: Order.

Hon. Mr. Elgie: His activities are innovative and go beyond what anyone has been able to achieve anywhere in the country.

Mr. R. F. Johnston: Has he bought another house, Bob?

Mr. Speaker: Order.

Hon. Mr. Elgie: Surely the member must look on the rent review program in the way I thought most of us did from the beginning. There was a shortage of housing. Tenants did not have a choice, because of the housing shortage, in terms of their ability to go to a less expensive one. As a result, there was a need to step in and make certain that if there were to be increases they were in line with the cost pass-through principle, which is a principle this House approved and which members on all sides have said was a sound one.

I said on Tuesday, and I will say again, if we have to examine some aspects of the program and review them to see if they need to be updated and changed, I am prepared to do that. But I do not think the member should try to pretend that he cares more than we do for the tenants' rights. My goodness, this program was introduced by this government in 1975 and has continued long after the wage and price control program of the federal government was abandoned.

Mr. Ruprecht: Mr. Speaker, I understand that the minister's only response to this grave situation has been to write a letter to the Foreign Investment Review Agency. What we want to know is simply this: Is that all the minister is going to do, or does he have something else up his sleeve that he will declare later?

Hon. Mr. Elgie: Mr. Speaker, I think I have answered that question in great detail today and the day before yesterday.

Mr. Philip: Mr. Speaker, does the minister not agree that it is unreasonable for landlords to pass through the financing of 85 per cent of the acquisition cost of a building? Why does the minister not change the guidelines so that tenants will not be paying for the buildings that are underfinanced by landlords?

Hon. Mr. Elgie: Mr. Speaker, let me go through once again what I have gone through before. I mean this quite sincerely. At present, as the honourable member knows, the commission makes those decisions about guidelines—

Mr. Philip: You have the power to make regulations by legislation.

Hon. Mr. Elgie: If the member will hang on and listen, he may get the answer he wants. If he does not, however, he will not be surprised.

The guidelines have established that financing shall be no greater than 85 per cent of the transaction. Therefore, it is assumed that equity of at least 15 per cent is required. By guideline it is also assumed to be reasonable to phase in those financing increases over up to three years, but on occasion it has been more than three years.

That very principle has been challenged in court by a landlord, and it is going to be before the court shortly. I have indicated, and I am indicating now, that I think both those principles are sound and have to be preserved. If the court upholds the landlord's position, then we will have to seriously review them.

I have also said I am prepared to review whether there should be variations in the amount of equity in all or some situations and whether there should be some variations in the phase-in period of financing charges in all or some situations. That has to be a reasonable response to the situation, and I hope reasonable men will accept it as that.

PENETANGUISHENE MENTAL HEALTH CENTRE

Ms. Copps: Mr. Speaker, I have a question of the Minister of Health. I will preface my question by congratulating the minister on his announcement today. I think it is a step in the

right direction. I say sincerely that at least he has recognized some of the problems in one area of health care.

I want to direct the minister's attention now to another area of health care about which he has also professed a concern, the area of mental health. I wonder whether the minister is aware that there have been four suicides at the Penetanguishene Mental Health Centre in a period of a little more than one month, from August 22 to September 26 of this year. Three of these deaths took place at Oak Ridge, one receiving considerable publicity.

One of the residents, and I think this is most important, was on H ward in a social adaptation program, which at best can be described as cruel and unusual punishment. According to the schedule I have here before me, that program stipulates that the patient can speak only to other members of the program and the staff, and only with staff permission. That leaves at least one of the patients in the program in a situation where he is not allowed to communicate with anyone from the outside world for 23 out of 24 hours a day.

At the time of the death of one of the patients, he was confined in an eight-by-ten cell with a steel sink and toilet as a punishment for inappropriate laughter while watching television. The cement slab had no mattress during the day.

Will the minister accede not only to requests from the Ontario Public Service Employees Union but also to calls from people across the province who would like to see a public inquiry into the conditions at Penetanguishene?

Hon. Mr. Grossman: Mr. Speaker, might I begin by saying that, had I known the honourable member was going to be kind in her opening remarks, I would have paid some money on behalf of the United Way to kiss her at noon today. If the offer is still open, perhaps she and I could go outside afterwards.

Mr. Peterson: She would not stoop to that.

Hon. Mr. Grossman: Not even for the United Way? For the United Way I would stoop to that.

Ms. Copps: I think he meant stoop in the other sense.

Hon. Mr. Grossman: The member should tell her leader I have given her my track suit on occasion, which she has worn.

Mr. Speaker: Now to the question, please.

Hon. Mr. Grossman: We are quite concerned about the number of suicides that have occurred this year. Because of that, we are having a look at the situation to see what all the circumstances were surrounding those sad events.

With regard to the specifics the member has raised, I am not sure whether they come out of the allegations or whether some of them may come out of the inquests that are going to be held in one or two of those cases. I can assure the member we are acting on all of those.

The question of whether we should have a public hearing or royal commission on these things is one that has been raised for some time. The clear choice of the ministry is to proceed with the necessary changes as we see them. A royal commission would take two or three years. I do not believe it would turn up much new evidence that the ministry does not already have at hand.

The report Madness, which the unions put together last year, was a pretty thorough review. I do not happen to agree with all the conclusions arrived at, but it also enumerated some of the problems.

3:30 p.m.

I have to believe the steps we have taken, the reorganization inside the ministry to specialize in the area of mental health, taken together with our shortly-to-be-announced patient advocates and community advisory boards, will go a lot further and faster than any royal commission would towards solving some of the problems.

I would not suggest there are not problems that cause me concern because there are, but I think we have identified the problems. I also think we are moving on the solutions and I would not want to see all that work held up or put in suspension for a period of two or three years while we catalogued, once again, what I think has been well catalogued both inside and outside the ministry.

Ms. Copps: The question remains whether the public at large can be satisfied with another in-house inquiry.

I refer the minister to a full-page article that appeared in the Globe and Mail some two years ago on a program called medication awareness and compliance, which existed at St. Thomas Psychiatric Hospital, where Connie, along with two to 12 other severely disturbed misbehavers, was confined to two small barren rooms in St. Thomas Psychiatric Hospital for more than 23 hours a day.

That same MAC program is currently in operation at the Penetanguishene facility. There was an in-house inquiry two years ago. Why does the same situation still exist? Why were

four people brought to the point of taking their own lives within the space of 33 days at Penetanguishene? That deserves a public inquiry. The people of Ontario want to know what is happening in the mental institutions across the province.

Hon. Mr. Grossman: Surely the inquests are going to serve the precise purpose the member identifies, which is to find out what caused those tragic deaths. That is why we have the inquest procedure. There has never been any suggestion that not all the evidence and information has come out at these inquests.

The circumstances which the member refers to particularly are going to be available to the public. They can assess for themselves whether the ministry is responding to whatever shortcomings those inquests turn up. Indeed, if we did not, we would be subject to appropriately strong criticism.

I am satisfied and I can undertake to the member that any particular shortcomings that might be turned up in those inquests will be dealt with very expeditiously by us if indeed they are things which should be actioned.

Ms. Copps: On a point of order, Mr. Speaker: The minister may not be aware of an inquest into a previous suicide in 1980. I have a copy of the report from the coroner's office and none of the recommendations made have ever been implemented by the Penetanguishene hospital.

Mr. Speaker: That was not a legitimate point of order and therefore does not deserve a reply.

Hon. Mr. Grossman: On a point of privilege: With all respect, my answer did not indicate that every recommendation of an inquest would be implemented. I was rather careful to say those portions of an inquest that should be actioned by the ministry will be actioned.

CHILD RESTRAINT DEVICES

Mr. Samis: Mr. Speaker, I have a question for the Minister of Transportation and Communications. Why is it that a government that spends $40 million in advertising can only spend $125,000 to inform parents of this province of the content of the child restraint law, the knowledge of which is a matter of life or death?

Can the minister tell the House exactly what he has done to inform parents, as opposed to police and hospital officials, as to the actual content of the law and their responsibilities under the law, since it takes effect next Monday?

Hon. Mr. Snow: I have not attempted to contact each and every parent in Ontario directly.

Mr. Samis: Supplementary: First, can the minister tell us if his ministry has done any form of radio or press advertising as opposed to posters and brochures?

Second, at a time when we have almost 600,000 people unemployed, and since these devices will cost between $50 and $100 for parents to acquire, can the minister tell us why the ministry budgeted only $40,000 to the Ontario Safety League for their rental program, most of which money was used for administrative purposes? Why is the ministry discontinuing its funding at precisely the time when the demand for rental units is bound to increase, and especially in the current economic climate?

Hon. Mr. Snow: I have had no request from the Ontario Safety League for funding additional to what we have already agreed to provide. To my knowledge there has been no request from any other organization for funding for the rental program. I am very much aware of a number of rental programs being undertaken by service clubs in many communities across this province. They want to undertake this program as a service club activity within that community and have not asked for government funding.

Mr. Cunningham: Mr. Speaker, is the minister in a position to tell us whether he has yet been able to persuade his colleague the Minister of Revenue (Mr. Ashe) to drop the proposed sales tax on these items, given the fact that these items are now mandated in law and are by no means a luxury?

Hon. Mr. Snow: No, Mr. Speaker. As a matter of fact, I have not discussed this with my colleague the Minister of Revenue. I did discuss it with the man who is responsible for those kinds of decisions, my colleague the Treasurer (Mr. F. S. Miller), some time ago—in fact, before the budget considerations. At that time the decision was that they would not be exempt from tax.

URBAN TRANSPORTATION DEVELOPMENT CORP.

Mr. Hennessy: Mr. Speaker, my question is to the Minister of Transportation and Communications and it concerns the withdrawal of the Urban Transportation Development Corp. from negotiations with Can-Car of Thunder Bay on the construction of the H-6 cars. Is there any truth to the allegation that Can-Car management is asking for a guarantee of $200,000 or

$300,000 more on each H-6 car before an agreement can be signed?

Hon. Mr. Snow: Mr. Speaker, I am not sure I quite understand the request for a guarantee of additional money before a contract can be signed. I might help the honourable members of the House—and I have already notified you, Mr. Speaker, that I have an answer to a question that was asked on Monday when, unfortunately, I was not here, I was in northern Ontario at that time.

The Toronto Transit Commission decided about a year ago that it wished to start a procurement process for the purchase of additional subway cars for the Toronto subway system, with an initial order for 26 cars, or perhaps a maximum at this time of 60 cars, which might eventually lead into a requirement for 100 cars.

At that time I believe the TTC distributed to the prospective bidders a package of information. It was not a tender call, because the commission has not, to my knowledge, to this date authorized a tender call. They submitted a package of information to bidders, which included Hawker Siddeley, Thunder Bay and Bombardier in Quebec. Then I had correspondence from Hawker Siddeley asking that this not be a tender call but a negotiated contract with Hawker Siddeley. At this time Hawker Siddeley and the UTDC were in discussions, and still are, as to joint venture arrangements that might be very beneficial to both companies.

In the meantime I had correspondence from officials of Bombardier, who wrote to me because of the suggested upcoming tender call. They wanted reconfirmation of my assurance given to them some time previously that as far as we were concerned we would not ask Bombardier to bid again on projects unless I could guarantee them that there was going to be no interference with the bidding process. As members will understand, this came about because of the government's decision on a previous occasion to give preference to Hawker Siddeley and to negotiate a contract even though bids had been called. I am not particularly against giving preference to Ontario suppliers or against a negotiated contract, but I am against doing so after bids have been called.

At that time, as I say, a request followed that from the Toronto Transit Commission asking for our concurrence in having the TTC consider a negotiated contract with Hawker Siddeley for the supply of these cars.

3:40 p.m.

At that time, the UTDC and Hawker Siddeley were in the process of a draft agreement for some joint venture in marketing and manufacturing processes, not only for subway cars but for light-rail vehicles and other types of vehicles, and to try to assist Hawker Siddeley in getting export orders as well as commercial business.

I wrote to the TTC and gave my concurrence for it to negotiate with Hawker Siddeley for the supply of the 26 cars provided it was satisfied it was getting a price that was in the range of the North American market for such vehicles. The last report I had is that negotiations between the company and the TTC—

Mr. Mancini: Is this a statement or an answer to a question?

Hon. Mr. Snow: Do you want an answer, or not?

Mr. Riddell: It is a pretty lengthy answer to a question asked by one of your own party members.

Mr. Wrye: You should have made a statement. You didn't need to make the Wintario statement.

Mr. Mancini: Why didn't he make a statement?

Hon. Mr. Grossman: If you don't care, go back to your office.

Mr. Riddell: What are we supposed to expect? It is a setup question.

Mr. Speaker: Order. Once again, members on both sides of the House are assisting me in making my decisions and I appreciate that, although it is not always necessary. To make sure there were no charges or allegations from this side of the House, I was going to make a statement at the end of whatever question or answer the minister may have had. He was going on at some length, with all respect, and I was going to lengthen the question period for a period of two minutes to compensate for the length of time he was taking.

Hon. Mr. Snow: Mr. Speaker, on a point of privilege: First, I had not completed my answer. Second, I was not only answering the question from my colleague the member for Fort William (Mr. Hennessy), who has been very interested in this matter, but I was also answering a series of questions which were asked of my colleague the Provincial Secretary for Resources Development (Mr. Henderson) in my absence on Monday. He passed those questions on to me. I am answering questions from all three parties in one answer and I cannot do it in a few words.

Mr. Speaker: I am sure that is generous. However, because of the length of time the leaders' questions took today, I was not really going to grant your request. I had thought we could hold that off until tomorrow morning. However, I think we should deal with the question asked by the member for Fort William.

Mr. Hennessy: Is there any possibility of negotiations being reopened between the UTDC, the TTC and Can-Car of Thunder Bay in regard to the H-6 Can-Car contract? There are hundreds of people out of work at that plant and the people of the city of Thunder Bay are very anxious. If anybody thinks this is a setup, he has his head screwed on wrong.

Mr. Ruston: That's the way to go, Mickey.

Interjections.

Mr. Speaker: The Minister of Transportation and Communications; do not comment on the second part.

Mr. Kerrio: What you are saying is they don't treat you any better than they treat us. Come on over, Mickey.

Hon. Mr. Snow: I am well aware of the situation with the Hawker Siddeley plant in Thunder Bay. Negotiations are ongoing between the UTDC and Hawker Siddeley on other matters. There are no negotiations going on between the UTDC and Hawker Siddeley on this subway car requirement because Hawker Siddeley has proceeded to negotiate directly with the TTC. It has submitted its negotiated price, as I understand it.

I have been told by the officials of the TTC that they are not able to recommend to their board the award of any contract based on the prices that have been submitted because, based on any calculation they can use taking previous escalated prices or market price into account, they consider them to be very excessive. I understand that the TTC will now be recommending to their board, the senior management, that an open tender call be made for the cars after the first of the year.

They have suggested to me that they might like to make this a worldwide tender call, or a no-restricted tender call. I have indicated to the TTC that, from my standpoint, I would not want to see tenders called on these cars beyond the boundaries of this country.

Mr. Cunningham: Mr. Speaker, I ask the minister: Why is there a requirement that Hawker Siddeley be involved in a joint proposal with a crown corporation? Why should there be such a condition imposed on the private sector, such as Hawker Siddeley, and why should 900 people be put out of work in Thunder Bay as a result of this foolish requirement?

Hon. Mr. Snow: Mr. Speaker, this had nothing to do with 900 people being out of work. There would be another 200 or 300 people out of work right now if my ministry had not advanced an order for GO Transit cars.

First, to answer the honourable member's stupid question, there is no requirement upon Hawker Siddeley to enter into any joint venture with the UTDC. This has been an ongoing relationship between these two companies. I have received a letter from the president of Hawker Siddeley, Mr. Tanner, within the last week advising that he wants to continue negotiations with the UTDC on ventures that can be beneficial to both companies.

Mr. Speaker: I would like to caution all honourable members. There is nothing to be gained in the use of inflammatory language and in casting aspersions on other members' questions, and I would ask all members to use a little restraint, as they would in normal situations and circumstances.

Mr. Foulds: I appreciate that, Mr. Speaker. Could I ask the minister why it is he had to give his concurrence to the TTC to enter into a negotiated type of contract with Hawker Siddeley-UTDC, and what the conditions on that concurrence were when he gave it? Can he explain why it was that Mr. Savage was quoted on the radio, at 6:30 a.m. on Monday in Thunder Bay, as indicating that the financial considerations between the TTC and Hawker Siddeley were not an impediment to proceeding with the contract?

Hon. Mr. Snow: Mr. Speaker, first, I cannot understand the statement which I read in Hansard, made by the honourable member, who said that Mr. Savage had made that statement at 6:30 on Monday morning. The honourable member heard it. I do not say he did not hear it. I do not say Mr. Savage did not make it. I said I cannot understand it because I know the details and I know the tremendous financial difference that was the reason for them not wanting to proceed.

As far as the first part of the question is concerned, it is a well-known fact that when we are financing 75 per cent of the cost of acquisition of capital projects by transit authorities, or for roads, or for bridges, or through the Ministry of Education in financing school properties, it is the requirement that public tenders be called and the contracts be awarded on that basis.

When the city of Thunder Bay goes to buy four new buses, they normally go through a public tender process and my ministry subsidizes 75 per cent of the cost of the low bid unless the low bid can, for good reason, be thrown out. The member knows the way it works.

If I were given the time I could list the number of contracts Hawker Siddeley has received over the past 12 years and the number that have been negotiated and the number that have been tendered. Out of the 11 contracts that Hawker Siddeley has received in the last 12 years, eight of them have been from either the TTC or the Ontario government, and all of those, except one, were negotiated.

The reason they asked for my concurrence to negotiate was that they were bypassing the competitive tender procedure. At that time both Hawker Siddeley and the UTDC were in this negotiation, and it was not solely because of that, but we did authorize them to carry on negotiations. However, we did not give them a blank cheque to spend whatever they wanted. We said they had to get it for a price that was competitive.

3:50 p.m.

REPORTS

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. Barlow from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bills with certain amendments:

Bill 159, An Act to revise the Planning Act.

Bili 194, An Act to amend certain Acts in respect of Planning and related Matters.

Motion agreed to.

Ordered for third reading.

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr. Harris from the standing committee on resources development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Energy be granted to Her Majesty for the fiscal year ending March 31, 1983:

Ministry of Energy, ministry administration program, $6,101,900; conventional energy programs, $3,218,000; alternative and renewable energy program, $25,985,900; energy conservation program, $28,862,800; regulatory affairs program, $2,326,700; and energy supplies program, $62,240,000.

Mr. Kerrio: Under protest.

MOTION

MOTION TO SUSPEND NORMAL BUSINESS

Mr. Peterson moved, seconded by Mr. Nixon, that the ordinary business of the House be set aside to discuss a matter of urgent public importance, namely, the current and continuing crisis in the rental housing market in Ontario and, in particular, the impending disastrous consequences for thousands of Ontario tenants arising as a result of a recent residential rental property transaction between Cadillac Fairview Corp. and the Greymac Credit Corp.

Mr. Speaker: I must direct the attention of the honourable, the Leader of the Opposition, and all honourable members to standing order 38 and standing order 39. Standing order 39, if I may just remind you, states, "No motion, or amendment, the subject matter of which has been decided upon, can be again proposed during the same session."

I further refer to Lewis, on page 39, which says: "Any matter which has been the subject of a motion or amendment decided in the House cannot again be brought forward during the same session."

May's Parliamentary Practice, on page 368, under the heading, "Matters already decided during the same session," states: "A motion or amendment may not be brought forward which is the same in substance as a question which has been decided in the affirmative or negative during the current session. The rule may be fully stated as follows:

"No question or bill shall be offered in either House that is substantially the same as one on which judgement has already been expressed in the current session."

Beauchesne, of course, the fifth edition, page 150, paragraph 416, is substantially the same as the 19th edition of May.

Therefore, by the authority under standing order 38, I am of the opinion that a motion which has been offered is, indeed, contrary to the standing orders of this House.

Mr. Nixon: On a point of order, Mr. Speaker, I bring your attention to two matters. First, the motion that was dealt with in this House on Tuesday was accepted by you as being in order. It was not debated per se. The only thing that was decided was the rejection of the ability to

debate it last Tuesday by the members of the government party. The motion then was: Shall the debate proceed, meaning should the debate proceed that day? We divided on it, and the majority found that the debate should not proceed that day.

I would submit to you, sir, that while consideration was given to the very matter you have put before us, we feel in the official opposition, which has put the motion to you today, that we are not dealing with the same matter. The matter that was dealt with then was whether the debate should proceed that day, Tuesday. We are requesting and suggesting in our strongest terms that the government might be persuaded, because circumstances have changed slightly.

At the time, I believe it felt that there were matters of even more urgent purport that should be dealt with and that, in fact, the motion was that the debate proceed on that day. It may well be that, circumstances having changed somewhat, it is possible that might be carried out.

It is true that the wording of the motion is the same. You found it yourself to be in order and it was only the fact that the debate was not allowed to proceed on that day that was set aside.

I urgently request that you give further consideration to allowing the five-minute arguments at least to be put to you, sir. It might even be that, as on a previous occasion, we can have unanimous consent of the spokesmen and, therefore, of the members on all sides for the debate to proceed. I would certainly ask that, if not on the former basis then on the latter basis, we be allowed to proceed.

Mr. Speaker: Are you asking for unanimous consent.

Mr. Nixon: If you are not going to consider the alternative, I would so ask.

Mr. Speaker: I think, with all respect, I am bound by the rules of the House and my interpretation thereof. I have explained that so I think it would be in order for you to ask for unanimous consent.

Mr. Nixon: Under the circumstances, I do ask for unanimous consent that the debate proceed.

Mr. Speaker: Do we have the unanimous consent of the House?

Agreed to.

CADILLAC FAIRVIEW

Mr. Peterson: Mr. Speaker, I fully understand this new area we are into. I gather I have 10 minutes to address this. Thank you, Mr. Speaker. I appreciate your co-operation. I thank the government House leader and the other members of this House. We in our party do feel this matter deserves a public hearing. I must say to you, sir, I am not happy about an emergency debate in the sense that it leads to no resolution, but it does at least give us an opportunity to air some of our very sincere concerns on this matter. I am hoping it will go further. We are asking, of course, for a committee hearing on this matter.

There are many ramifications involved in this issue. I know that the poor, beleaguered Minister of Consumer and Commercial Relations (Mr. Elgie), who is becoming just a trifle more sensitive lately than I have ever seen him before because of the onslaught he is receiving on this whole matter, not only from his own members but from members of the opposition, too—

Hon. Mr. Elgie: Just your bad manners.

Mr. Peterson: Well, we will not get into that. In spite of it all, he is not a bad fellow. I believe he is just wrong on this issue. I believe that either the instructions he has decided to follow for himself or the instructions he has been given by the cabinet are wrong in these circumstances. I want to point that out.

There are many issues involved here and fundamentally we would like to have an open hearing. We have watched the progression of the minister's thought on this matter. Originally, he did not even think there was a problem, and some time after that, he did not know it was going to the Foreign Investment Review Agency. Gradually, under pressure from some tenants' groups, he said he would send a letter to FIRA to see if there were some untoward circumstances surrounding the financing of Greymac Credit Corp., that is, whether some foreign money was involved.

4 p.m.

There is a lot of mystery surrounding this company. We do know some facts about it. We know that the president of the holding company is one, Leonard Rosenberg. You may not know him personally, Mr. Speaker. I am sure you know his brother, Morley, who will be joining you in a semi-judicial capacity as a member of the Ontario Municipal Board. His wife, I gather, is the president of the company, and he is the chairman.

Greymac has also been involved with Axelrod Holdings in the notorious 790-800-840 Eglinton Avenue West situation. Greymac holds a blan-

ket mortgage on all three properties in the amount of about $3.6 million, I am told.

I am also told—some of this, Mr. Speaker, I cannot prove, I wish I could prove it; what we need is a committee so that it can prove some of these things—there was $500,000 brokerage fee for the arranging of that mortgage. The reality is that those buildings are in the centre of a controversy in the city with respect to condominium conversion. We know that certain of the principals were involved in the purchase of Crown Trust with one Joe Barnett, who sold his interest in that, as I understand it, to Mr. Rosenberg and to Greymac Credit Corp.

I am telling the minister a lot of circumstances surrounding this need to be looked at. If this was just one building it might not be all that severe, but we are talking of a transaction of such size and proportion it is going to have major consequences for the rental market in Metro Toronto, some five per cent of the controlled stock affecting the lives of some 20,000 to 25,000 people.

The minister said to me today, "Are you suggesting Cadillac Fairview has not been an exemplary landlord, or that there is anything untoward about it?" I am not suggesting that for a minute, because the fact is to the contrary. Cadillac Fairview, to the best of our information, by and large has been an excellent landlord in this city. I am one of those who are sad to see them exit from that capacity.

Very frankly, up to this point at least, that has not been demonstrable in the case of Greymac Credit Corp., whoever they are in all of their various emanations. We have a group of tenants who have enjoyed the landlordship of a group like Cadillac Fairview and who have been treated well. I understand Cadillac has never come forward to the rent review process. Now we have the spectre of those tenants financing these major transactions. Without much imagination, one can easily see increases in rentals of 30 per cent, 40 per cent, 50 per cent and 60 per cent. When we are facing the prospect of some 11,000 units with 20,000 to 25,000 tenants' rents going up in that proportion, then we have a major problem.

The minister can make all the speeches he wants about nonintervention, about free property transaction and all of that, but I will tell him, we have already lost our virginity in this issue. We are involved now in a massive rent review program in this province. At the present time we are involved in a massive restraint program. We are involved deeply in the functioning of the marketplace. No rhetoric will change what the minister's party has done any more than what my party or the members of the New Democratic Party have done. We are dealing with real social problems that we have to address now.

The example of this particular transaction has to be used to look into the wider applications of the rent review legislation. It may not be up to date. I recognize the problems. I also recognize the problems the minister has been faced with. If he wants me to, I can quote to him what some of his people have said; what the Minister of Citizenship and Culture (Mr. McCaffrey) and the member for Wilson Heights (Mr. Rotenberg) have said to tenants; what the Minister of Industry and Trade (Mr. Walker) has said as opposed to what some others and some of his back-benchers have said over the years. He should not think he has been all that consistent, or that the same noises are coming out of his government. He knows there is a social problem and he knows it is growing.

What we need is an investigation of this particular deal and then see how that applies to the functioning of the legislation. Perhaps the rule of 85 per cent amortized over three years is no longer appropriate. We know interest rates are coming down; it may take some pressure off in those areas. On the other hand, it may not. We also know that one of the ways around the rent review legislation is to keep rolling them over so that those financing costs can be passed on to the tenants.

We are involved in a very difficult question of balancing the rights of the landlords and the rights of the tenants. I do not take the completely one-sided view of the people to my left, who by and large do not talk a lot of sense economically on many issues, in my judgement. But I do not take the hands-off view the government takes either, and I do not take the view that we should just walk away and do nothing because we see a problem coming.

I make this prediction. We are going to see questions in this House. The members opposite are going to see the apparatus of their rent review board spend a great deal of time and effort trying to untangle a mess that we can see coming. Surely some of the genius in life has to be to foresee problems and prevent them. I think we have a right to talk publicly to Mr. and Mrs. Rosenberg and people involved in the Greymac Credit Corp. to find out what their intentions are and how they intend to finance this package.

I gather the minister has said he is going to have them in to his office at some unspecified time in the future. Perhaps he has arranged an appointment, perhaps he has not. But that, very frankly, is not good enough for us at this time. In view of the size of it, in view of the capacity it has to lead on rents right across the city, in view of all of the circumstances involving Greymac and the people involved I think the government has an obligation to hold a public hearing.

The Deputy Speaker: One minute.

Mr. Peterson: I had the opportunity in the last day or so to run into a number of people involved in the real estate business in this city who are very aware of these circumstances. They came to me and said, "David, you are on the right track." These are people I fully expected would say, "You have no right to stick your nose into this kind of transaction." They said, "It bears scrutiny." These are people I respect.

Going back to the old-line rhetoric the minister used on me today and yesterday, which I do not honestly believe he believes all that much deep down in his soul—and I am not calling him a hypocrite, and I apologize for any personal innuendo or suggestion I have made in that regard—I think he knows there is a problem coming, and I know it is very difficult for him to handle it.

I am giving him the best advice we can give from our side of the House: the only way to prevent this problem is to have an open inquiry right now. I ask the minister to use his best judgement to do this at the present time, because if he does not, he is walking into a major problem. He now has the support of the executive committee of Metro council.

The Deputy Speaker: Time.

Mr. Peterson: They know it is an issue. I will not read it into the record, because I am not being allowed the time to do that. But more and more the ground swell is developing of people who are concerned about this deal in all its aspects. I would suggest that if the emergency debate we are having today does nothing more than air the issue, I hope it at least will allow the minister to change his mind and take the responsible course.

Mr. Philip: Mr. Speaker, I rise in support of the original motion and, indeed, to deal with the fact that there is a crisis. I am pleased to see that, after seven years of voting with the Conservatives and against the tenants, the Liberals have finally had a deathbed repentance and come around to our point of view.

They voted with the Conservatives in 1977 to allow all the loopholes that allowed this kind of crisis to develop. For seven years they voted against the tenants; now for one year they are voting for the tenants. Where were the Liberals in 1977 when our party moved the amendments requested by the Federation of Metro Tenants' Associations? They were there, voting with the Conservatives and the landlords when we were trying to plug the loopholes that have created this kind of crisis.

The fact is that when the Liberal Party had an opportunity to make a difference, when there was not a Conservative majority where they stood no chance of getting through the kinds of things the tenants were asking for, when they had an opportunity to make that change, they voted with the Conservatives, they voted against the tenants and they voted against the very amendments the tenants asked for. Now, when the government has a majority, it knows the changes it postulated are not going to take place.

4:10 p.m.

We support the need for this debate. We support the fact that there is an emergency, an emergency not just created by Cadillac Fairview, or by Peter Pocklington's high-flying companies, it is a crisis created by inadequate bills passed in 1975 and in 1977 by the Liberal-Conservative coalition. That is what we are dealing with.

In 1977, we in the New Democratic Party warned that today's crisis would occur unless the act was amended, unless the loopholes were plugged. This motion is a condemnation of the inadequate legislation of 1977. This motion is a condemnation of the Liberal-Conservative coalition of 1977 which put forward legislation that was clearly aimed at doing more for speculators and landlords than for tenants.

The Liberal Party should not be changing its name to the community party in York South, it should be changing its name to the flip-flop party. Just as it flip-flopped on the matter of teachers' rights to strike—and are voting for a very regressive act in this House that will take away that right—it also seems to think it can flip-flop on tenant issues.

I challenge the Liberal Party to move. Where was it when it moved the Residential Tenancy Act in committee to gradually phase out rent review altogether? That was its policy. It has never taken that off its books and that is still its policy, to phase out rent review entirely, community by community. Where was it in talking

to its federal counterpart, Paul Cosgrove? There are the hypocrites.

Mr. R. F. Johnston: There is that dangerous word again.

The Deputy Speaker: I say to the member for Etobicoke that I must admit we are getting carried away in the debate. The word "hypocrite" referred to people in general, no one specifically, but he should take a drink of water and start again.

Mr. Philip: How about the issue of extending rent review in 1975 and 1977? It was the Liberals who voted with their Conservative colleagues and exempted thousands of people from any kind of rent review protection whatsoever. Where were they when the tenants needed them in the minority government? They were there with the landlords. They were there with the Conservatives.

In his comments on Tuesday, the minister talked about the great program of the Conservative government in providing for rental housing. The fact is, as the University of Toronto urban analyst has said in a recent issue of the Toronto Star, "Landlords and investors, not tenants, are the chief benefactors of the rental loan program that is costing the Ontario taxpayer so much."

We have advocated a very clear-cut program to the minister today in this House. We asked the minister why is he not prepared to call a moratorium for one year, or however long the government needs, to correct the mistakes which he says he is presently studying. The minister refused to answer that question. In fact, he stated that he is now looking into it. If there is a problem, if it is a problem worth looking into, why can he not do as the city of Toronto has now requested and have a moratorium until he can deal with the very problems that he has been looking into and that his predecessors have been looking into for seven years?

We are dealing with not just a crisis of two companies; what we are facing is a crisis we in the NDP have been pointing out for seven years, a crisis created by the Liberal-Conservative coalition in 1977. Now that the Liberals have found the tenants' end at last, maybe the Conservatives can also find it.

Hon. Mr. Elgie: Mr. Speaker, the opposition has spoken in support of a motion that I suggest has three components. First, there is the suggestion that the government is not endeavouring to address the shortage of rental housing in the province; second, the rent review process that is in place may not be adequately serving the citizens of the province; and third, the right of owners of commercial-residential properties to sell those properties should be subject to some unusual sort of scrutiny.

In particular, I gather by insinuation that if there is any foreign money involved in this acquisition this may be undesirable and should be examined even beyond the scope of federal legislation, namely the Foreign Investment Review Agency.

With respect to the first issue, on Tuesday I outlined pretty completely a number of innovative steps this government has taken with respect to its efforts to provide increased rental housing. I will not review those again today.

The second issue relates to the rent review process itself. We all know the existing rent review program was put in place by this government in 1975 because of our shared concerns about exorbitant increases in rental accommodation that were not subject to any scrutiny. It was reviewed and revised again by an all-party committee of this Legislature in 1979 based upon the principle of a six per cent guideline with a pass-through of costs in excess of that being subject to a review process.

It is also pretty clear that principle of cost pass-through, which did not and does not take into account return on investment, met with general approval, and particularly with the specific approval of the former leader of the Liberal Party of this province, when he said, "We feel that the present system of cost pass-through is reasonable."

I was also interested to note that on Wednesday, August 18, the member for Welland-Thorold (Mr. Swart), acting as an agent for the tenants in a rent review hearing, commended the commissioner when he awarded a 12 per cent increase based on the cost pass-through principle and called it a sound decision.

Of course there have been various views expressed from time to time with respect to the six per cent guideline. The former Housing critic of the Liberal Party indicated on one occasion that the ceiling was unrealistic. The member for Waterloo-North (Mr. Epp) and the member for Etobicoke (Mr. Philip) indicated the ceiling might have to be raised.

Mr. Philip: On a point of order, Mr. Speaker: If the minister is going to quote one sentence, perhaps he would add the other sentence in that article that said that we in the New Democratic Party would not change it. He is trying to mislead the House.

Hon. Mr. Elgie: I read it as it is reported. In any event, it is clearly on the record that, although one member of the Liberal Party feels that rent control is economic insanity but a social necessity, as a Legislative Assembly we have endeavoured to put in place a system that, by and large, tried to treat landlords and tenants fairly. I think it has served the tenants of this province well.

It is true that in earlier years very few buildings and units were going to rent review. I think we all have some understanding of why it is happening now. The leader of the New Democratic Party was quoted on August 8 as saying the main reasons for the increasing costs that were being passed through were higher interest rates and energy costs. He is right on.

The House knows this government is very supportive of a variety of measures aimed at reducing inflation and therefore reducing interest rates. Present trends in these areas are encouraging and one hopes the trend would result in a lessening of the need to come to rent review because of these additional costs.

Last year some 17 per cent of units went to review with landlords requesting an average of about 20 per cent and the commission allowing an average of about 14.7 per cent. By and large, I think it is fair to say that tenants in this province have continued to be well served by that program. Those tenants who are being required to pay increased rents are doing so because of costs that are beyond the landlord's control.

I might also add that by guidelines the commission has endeavoured to phase in financing charges over a period of years and has set a minimum with respect to equity in the acquisition of properties. Their right to do that, as I said before, is now being challenged by one landlord, but these are principles that I believe have to be sustained and perhaps even reviewed with respect to whether or not the phasing-in period should be lengthened in some or all instances and whether or not the equity down payment should increase in some or all instances.

I say quite clearly that if it is a program that needs to be reviewed, I am prepared to do so, and to respond to legitimate complaints. I say that because the government recognizes quite clearly that inflation, with the consequent interest rates, has played havoc with the lives of many people in this province. If anything reasonable can be done to improve the system in order to ease the impact of those increases, of course the government is prepared to consider them.

Further, the Leader of the Opposition was directing his attention to the sale of properties. There have been many properties purchased and sold over the years, but we have before us at the moment a particularly large sale which affects a large number of people. I can understand the concern and the anxiety tenants have about the prospect of rent increases of undetermined amount.

4:20 p.m.

Let me say clearly that in my view the commission does everything within its power to make certain that transfers of properties are legitimate. I know there are some who have suggested that it may not have sufficient power. Let me be frank and open by saying I have no hesitation in indicating my desire to be certain there is no collusion in property transfers, that they are at arm's length and that the acquisition price is fair and reasonable. If the system does not produce those results then we have to look at it to ensure that it does.

As a result of recent increased funding, the commission has hired additional staff to specifically investigate property transactions. In this regard, I do not believe it serves the tenants well to increase their anxiety about a situation before one knows exactly what the details of the acquisition are.

I have indicated I am prepared to request a meeting with the owners of Greymac and will be pursuing that. I have also written to the Minister of Industry, Trade and Commerce in Ottawa requesting that the proposed sale be examined by the Foreign Investment Review Agency to determine whether any aspect of the sale might offend the rules of FIRA as it applies to foreign investment in Canada.

I am not quite certain whether the Leader of the Opposition is suggesting by innuendo that there should be some investigation of the Cadillac Fairview sale to Greymac. He has been much more explicit than that. I know of no one who is suggesting that Cadillac has not been exemplary, and neither is he suggesting it. I do not have any reason to believe there is evidence that Greymac will not be a good landlord as well. I will certainly explore those things when I meet with them.

I do have some concern about the innuendo that one should be able to interfere with the sale of property. I am sure that is what the member for Waterloo North was thinking of when he introduced resolution 39, which called for an

amendment to the Charter of Rights guaranteeing the right to enjoy property and that this right should not be interfered with other than through principles of natural justice.

I am also somewhat taken aback by the position of the Leader of the Opposition. He will recall that on July 5, 1977, following a speech by the then Liberal member for Sarnia, he supported the government's withdrawal of the Land Transfer Tax Act as it applied to the acquisition of commercial, industrial or residential property by nonresidents. Let me quote verbatim what he said then: "It takes them quite a while to see the light. We have felt it should be withdrawn for a long time."

In summary, it is my view that the government is endeavouring to address the shortage of rental accommodation as best it can in most difficult times. If the rent review program now in place needs some reconsideration in the light of legitimate complaints, I have no hesitation in indicating I will do that.

Finally, the most certain way to avoid the undesirable increases facing tenants in this province is to deal with the cause, which is high interest rates in response to inflation. I assume we can count on the support of both opposition parties as we endeavour to face that real issue.

The Deputy Speaker: I need some agreement in the House. In my error, when switching with the Speaker, I was under the impression we had unanimous consent and hence started the debate with five minutes each per party and then into 10 minutes. It is now my understanding it was 10 minutes to begin right off the bat.

As a result, I allowed the member for Etobicoke to speak for only five minutes. Is it agreed he has another five minutes? Agreed. Then we will go to the official opposition, back to the third party again and then to the government.

Mr. Philip: Thank you, Mr. Speaker. What we are essentially dealing with is not just the resale of buildings, it is the problem that occurs when a building is refinanced as a result of that sale.

I do not agree with the minister's position that somehow he does not have control over the guidelines whereby the rent review office works. In fact, it is within his jurisdiction to inform any tribunal that is under his jurisdiction what the policy of the government is.

I happen to think the pass-through to tenants of financing of 85 per cent of the aquisition cost does not make sense. I believe in any other business one would expect an investment of more than 15 per cent of the cost of procuring that business. To pass on 85 per cent of the aquisition cost to tenants is simply unfair.

It was pointed out to the minister's predecessor on February 5, 1982, by the Federation of Metro Tenants' Associations, and I happen to believe it also, that the largest single factor in increasing rents under rent review is the turnover of buildings and refinancing. I suggest to the minister that he must come to grips with that problem.

The Ministry of Municipal Affairs and Housing conducted a study on rent review. It came to the same conclusion as that reached by the federal government, namely that rent review should be abolished or phased out. One of the greatest disappointments in that report, which has been tabled by the minister, is that it does not contain the most essential element of this problem, namely the effect of financing on rental housing.

The ministry commissioned Price Waterhouse to do a survey of landlords and a questionnaire that contained a comprehensive section on financing was sent out. Yet for some reason this government has decided not to publish the results of that questionnaire. They turned out a report that says what some landlords want to hear, that is, to do away with rent review, without dealing with the most essential question of financing.

I ask the minister to ask his counterpart the Minister of Housing and Municipal Affairs (Mr. Bennett), who is not here for this debate, "Why did the government, at taxpayers' expense, commission a study which asked essential questions and then did not report the answers on those essential questions?" I suggest the answers are there but the government did not like the answers it received, so did not publish them.

The whole question of financing is one we must look at. We in the New Democratic Party have been looking at it over the years. We have introduced one private member's bill after another with not only our own suggestions for changes but changes which have been recommended by university and tenants' groups.

We have suggested to the minister that if a landlord is allowed to justify a rent increase because of financing, there should be an automatic decrease if those interest rates come down. Those of us who have represented tenant groups before the rent review commission over the last couple of years know very well there have been many large rent increases because of

mortgages that were in the 20 per cent or 21 per cent interest bracket.

The Deputy Speaker: One minute.

Mr. Philip: Surely it makes sense for the government to come to grips with that problem and for the minister not to cop out and say, as he does, "Let rent review decide what the guidelines will be," but rather come out with very specific guidelines that say that if a landlord has been able to increase his rents substantially on justification of larger or higher financing, upon termination of those mortgages there is to be an automatic review; and if the mortgage cost has gone down, the savings to the landlord are to be passed on to tenants. The minister, like his predecessor, has refused to deal with that even though we brought it to his attention well over a couple of years ago.

I am saying that we in the New Democratic Party—

The Deputy Speaker: Time.

Mr. Philip: —several years ago asked for an inquiry into the effect of speculation in land and apartment buildings and the escalation of rents as a result of that speculation and turnover of buildings. We suggested some very concrete, specific ways in which that could be stopped.

Unfortunately, this is the result of a bad bill in 1977, one that the Liberals and Conservatives co-opted for on the side of the landlords. This is an opportunity for this minister, who I think has more empathy and more understanding than most ministers I have seen in this House, to really do something about these problems. I respect this minister more than I respect most of the ministers in this House. I am asking him to be empathetic to these concerns and to do something about the problem.

The Deputy Speaker: I thank the member for Etobicoke for his co-operation.

4:30 p.m.

Mr. Spensieri: Mr. Speaker, I rise to speak in support of my leader's motion to reinforce the emergency nature of what is transpiring across Metro Toronto and particularly in my riding, Yorkview, where some 10 per cent of the units that are proposed for sale happen to be situated.

In my riding, we have a community known as University City, where at the three distinct addresses of 1, 35 and 40 Fountainhead Road, and at 470 Sentinel Road, some 1,100 units happen to be present. The tenants have been tenants of these buildings from their very inception, since their construction. This project, with all credit to Cadillac Fairview, has represented one of the most stable of the residential districts in my riding.

All that is now threatened and put into jeopardy by a large transaction which, by the very nature of its size and of the secrecy surrounding its particularities and circumstances, does require, I submit to the minister, the closest investigation.

I regret, as does my leader, that we have had to choose this forum to address this problem because a more suitable forum would have been a committee, such as the standing committee on general government, where I attempted yesterday to bring this matter to a hearing, a resolution and a determination.

We had the legitimate and perfect right to do so, because the report of the Residential Tenancy Commission could have been considered by the general government committee yesterday and, as part of that consideration, the more specific issue of the residential guidelines and rulings as they impact on this transaction could have been discussed.

The reason we were given for not hearing this matter of moment, this matter of tremendous and urgent importance at this time when the transaction is to be consummated, was that we would cause mental anguish on the part of the contracting parties. Can one imagine mental anguish on the part of the likes of Rosenberg and Cadillac Fairview?

Consider the mental anguish to residents who have lived in my riding and in the particular buildings for more than 10 years and who are now faced with potential rent increases of 60 to 70 per cent.

I say to the member for Etobicoke (Mr. Philip) that we might have had more luck yesterday if his persuasive powers had been used in the general government committee, where he should have been to support my motion to have the matter heard then and there with full powers of subpoena and full powers of bringing the matter to a hearing.

Mr. Philip: Mr. Speaker, on a point of privilege: I was not there because I am not a member of that committee and because I was then in the honourable member's riding dealing with his constituents on some multicultural problems.

Mr. Spensieri: That is only because of the pending municipal election. The New Democratic Party alderman, a Mr. Foster, has had about as much aptitude in dealing with this matter as the minister. Mr. Foster has dictated, but not sent, a letter to the Foreign Investment Review Agency requesting that the matter be

reviewed. I do not know whether the minister has dictated and sent his, but perhaps he is a little further ahead.

Mr. Philip: On a point of Mr. Foster's privilege, Mr. Speaker.

The Deputy Speaker: You are stretching it; only because I made a mistake on your 10 minutes.

Mr. Philip: Mr. Speaker, it was only after Mr. Foster raised the issue that FIRA agreed to look into the matter. Mr. Foster, unlike the Liberal candidate for alderman—

The Deputy Speaker: Order. You have made your point.

Mr. Spensieri: The point is that this Legislature is the sole body that can deal effectively with the pending problem. This Legislature has been requested to do certain clear things. First, it has been requested to set up specific guidelines for this transaction so the matter of the refinancing charges may be brought to the attention of the purchaser and the purchaser may be put on caution that he will be halted if he proceeds on the assumption he is going to pass his financing charges through.

If we do not put that purchaser on notice, if we do not put him on caution then, under the existing guidelines of the Residential Tenancy Commission, he has the perfect right to expect rental increases of 60 to 70 per cent. That is the nature of the emergency.

This Legislature has also been requested to amend the Residential Tenancies Act to extend the period over which the financing charges may be spread from three to possibly five or six years. Once again, that is a specific thing which only this Legislature can do.

The Legislature has been requested to indicate that during the one-year period of restraint it will limit any pass-through increases to five per cent. Only this Legislature can do that. To invoke the Foreign Investment Review Agency and other bodies and other levels of government is futile.

This is a matter of tremendous importance, not only to my riding but also across Metro. We have a purchaser who is of dubious character and of dubious capacity to take on the residential unit which Cadillac Fairview now seeks to dispose of. To say we are going to be loath to look into this transaction because it interferes with the sale of property is to introduce a red herring.

No one is talking about restricting the right of owners to sell their properties. No one is even suggesting this right ever should be interfered with except when it involves dubious financing, tinged financing, dubious transactions and non-arm's-length transactions.

When it impacts on the ability to obtain increases because of these financing charges, we are not then dealing with the sale of property or with the right to conduct a sale of property but with manoeuvring in such a way that financing charges are arranged in a manner calculated to bring about exorbitant profits. That is the issue and that is why this Legislature must now give guidelines.

I am not about to say that there has been some collusion on the part of Greymac and Cadillac Fairview, although one would have every ground to believe there is a possibility that Cadillac Fairview may be buying from Cadillac Fairview, using the front of Greymac through its Swiss sources to funnel through its profits earned offshore.

This is one more reason and one more element this Legislature has to consider when deciding whether to review this matter with the depth and degree of speed it deserves.

Another reason for the emergency is that this transaction, which was scheduled to close on November 16, is likely to be advanced because of the flak that has been raised by my colleagues in this House and to some extent by our colleagues in the third party.

We would not want to be faced with a situation where the counsel acting for these parties proceed to an expeditious, hasty closing of the transaction so that afterwards there would be no opportunity whatsoever to deny them the right to seek these exorbitant increases which are now permitted.

I see I have only a few moments left. In concluding, I wish to say that the executive committee of Metro Toronto council has requested this Legislature to act. This is the only way we can request this Legislature to act because of the majority situation. Every other avenue has been closed to us. Even the legitimate manoeuvre of introducing, in the standing committee on general government, specific consideration of a specific issue as it related directly to the Residential Tenancy Commission report was blocked by the chairman of that committee, the member for Cambridge (Mr. Barlow).

For that reason this debate, being our only avenue, must be continued, and this House must resolve that the matter go back to the standing

committee on general government for close scrutiny.

4:40 p.m.

Mr. R. F. Johnston: I was expecting someone to rise on the other side, Mr. Speaker. What a silly thing for me to have expected. Leaving the minister high and dry again to fight his own fight, the former alderman from ward 5, not feeling strongly enough about this to rise—

The Deputy Speaker: Order. This will not be on your time, but just to clarify it for the government side: The Speaker's chair had made a mistake regarding the member for Etobicoke (Mr. Philip); he was granted only five minutes instead of 10 minutes. So after the minister had concluded, we went back to the member for Etobicoke, followed by the official opposition; now we are back to the third party and then we will go back to the government side.

Mr. R. F. Johnston: Ah, the intricacies of the legislative ordering of business are just amazing.

I rise to support this strange motion that has come before us again.

Mr. Kolyn: Strange motion?

Mr. R. F. Johnston: Well, it is strange indeed that we seem to find that things are out of order one day and the next day they are in order, even though they are the same darned thing that was provided the day before.

The whole question of what is in order in an emergency debate in this House has become a total mystery to me. We find the housing situation to be of urgent and pressing concern today whereas on Tuesday it was not. We found the Sudbury debate to be of urgent and pressing concern one day and not the next. We found the situation of people who are bearing the brunt of the problems of housing at this point in Ontario, those people who are on fixed incomes and welfare, not to be of urgent importance. Maybe I should reintroduce it today and it would be in order today.

I find this whole thing quite bizarre, and I find it especially bizarre when it comes from the provincial community Liberal tenants' landlord party wage control association of Ontario. I find it strikingly amusing that the same party that for years impeded the fight to bring tenants' rights and real rent review into this province has now decided all of a sudden, because it knows it is losing badly in York South, that it is going to bring forward this legislation for its own tactical purposes.

It is absolutely ludicrous to me that this should be purported to be an emergency of major concern to the Liberal Party of Ontario, the community party of Ontario or whatever it happens to be.

The member from that party who last spoke mentioned that this is not a matter of taking away rights from landlords. By God, it is; and let us not kid ourselves that it is not. What we are talking about here is the conflict between landlords' rights and tenants' rights, and one cannot just add to tenants' rights without taking something away from the landlords' rights. When one starts to talk, as a councillor in Toronto has done, about a freeze on the right to sell or to refinance these major buildings, one is talking about taking away a right from landlords. One cannot have it both ways.

There has to be some protection for the rights of tenants, but one of the major failures of this government has been that it has not protected tenants' rights. What we managed to get through during those years of minority government was just a start, just a tiny step in the development of tenants' rights. One of the major reasons it did not go any farther was that the party over here to my right, the community party, the Liberal Party, the tenants' association party of Ontario, did not support those rights and voted against them.

Mr. Eakins: You need a good meal, Richard.

Mr. R. F. Johnston: I have had many a good meal, and I feel very good about it and in great form today myself, even if the member for Victoria-Haliburton does not find my speech that way. I must say, he was in great form himself today in the kissing booth. I was very impressed by his activities there.

Rent review is a disaster at the moment. I find it strange that the minister does not understand that. He gets up and says how it is working. He must be working from old statistics, because in my riding at the moment tenants' rights are just being destroyed all over the map. I am not sure whether refinancing and the kind of scam that may or may not be perpetrated here in the case of Cadillac Fairview has been happening in my riding, but there are certainly scams where within families they are selling properties back and forth to each other.

The renovation stuff that is going on is destroying the whole area of my riding. The Beaches area at the southern part of my riding, which has had a wonderful mix of individuals, old and young, and which has been a very stable rental community for the past number of years, now is being renovated in such a way that they throw out the tenants, do minor renovations,

during which the tenants could have stayed there, and then double the rents.

Basically, they are changing a whole community. A whole new form of blockbusting is taking place. This abuse of demolition permits is happening all over the city, all over Metropolitan Toronto. I am sure the former alderman from ward 5 is going to rise and speak to this. It is being used as a systematic technique to destroy the notion of rent review.

To say that rent review, as a piece of legislation, does not need a major overhaul at this point is to miss the point of the problems that people are finding in terms of being able to find affordable rental accommodation in the city of Toronto at present.

One element that has to be looked at, and it is a major element, is this whole business of refinancing and the use of that 85 per cent pass-through of financing cost; but by God, there are so many other things wrong with that bill that we need to get at it right now and look at it.

I am totally in favour of the notion of a freeze at the moment on those high-rises. I understand it as being an abrogation of the rights of landlords to have free sway in terms of how they look after the sales of their assets. I understand that, but there are thousands of individuals who have the right to a home, a basic and fundamental right, and that right is being taken away from them because of the financing deals that are being tricked around the present rent review system. Probably they are often totally within the rules, but people are losing that very fundamental right.

In my view, there is a question of priority of rights. Should people have the unlimited right to profit from property or should people have the basic right to be sure of their accommodation? These two rights are in conflict here. Let us be very clear about it: I come down on the side of the tenants and the right to have shelter they can afford.

We have to tie that in, I think, with what is going on in housing all over this province at the moment. It is a fact of life that people who are renting today are paying a larger portion of their salaries into their accommodation cost than they ever have in the past. We know that is the case. It is becoming harder and harder to afford even to rent in this day and age, and 30, 40 and 50 per cent of people's incomes are going into rental accommodation. If they happen to be on fixed incomes, or if they are among the more than 60 per cent of welfare recipients who are out in the private market, they are paying 80 or 90 per cent of their income into accommodation. That is the crisis; that is an emergency.

People cannot be expected to exist when they are spending that kind of money on accommodation in Ontario, and that has come about. Not only are there people paying that much money, but also they are all trying to get into public housing. What has this government done in public housing? The answer is, almost nothing in the past five years. As a result, we have more than 30,000 people trying to get into public housing in Metropolitan Toronto at this point.

Anybody who has a constituency office and who is sitting in this Legislature today knows that when trying to get people into Ontario Housing Corp., if they do not happen to be just about to be killed by their husbands or are not beset by the direst circumstances in the world, we are talking about a year and half time period.

That is simply a total failure of the housing system as we have it in Ontario today. It is because there is no construction of public housing. It is because there has been no major commitment to the co-operative housing sector to create housing space, when it would have a major proportion of subsidized spaces.

That is why we have people on the streets. That is why the plans of Minister of Community and Social Services (Mr. Drea) to help welfare recipients are essentially fraudulent. He did a wonderful piece of public relations. He is essentially giving them five per cent and those who are getting the extra rental subsidies are going to have to pay 25 per cent of that extra cost of their rent out of their food budgets.

There is no real acceptance over there of what is going on in our community. This Cadillac Fairview business is just one example of people being disfranchised or people not having the right to have a home they can afford.

In the one minute I have left I want to say that there will be people on the streets this winter or lying on the floors of hostels or on the floors of churches all around Metropolitan Toronto. There will be people lining up for the soup kitchens, which the minister does not like to call soup kitchens but missions.

That is what the real housing crisis is in this province. But that housing crisis was ruled out of order in this House as not being a pressing concern just a couple of weeks ago. Now we have a gimmick being presented to us by the Liberal community party of Ontario because

they are in trouble in York South and they know it.

4:50 p.m.

Mr. Cunningham: You may have another chance at the leadership the way your guy is going.

Mr. Ruston: Richard for leader.

Mr. R. F. Johnston: At any point, if anybody on this side would like to bet me $100 right now—

The Deputy Speaker: Time.

Mr. R. F. Johnston: —that John Nunziata will not be elected, let him stand up.

Mr. Eakins: You should be out there with the member for Etobicoke.

Mr. R. F. Johnston: I will bet anyone right now that John Nunziata is going to lose by thousands of votes and that the Liberals are going to be embarrassed and wiped out in the western part of Toronto.

The Deputy Speaker: Does anybody want to bet that your time is up?

Mr. R. F. Johnston: Does anybody want to take it on? There are no takers. I will sit down. This thing is a preposterous scam because they are in difficulty. That is all it is.

Mr. Williams: Mr. Speaker, I am delighted to be able to participate in this most important issue being debated in the Legislature this afternoon. I am particularly pleased to participate because it is of great importance to the constituents in my riding. A significant number of my constituents do live in rental accommodations, and a significant number of the apartment buildings within which my constituents reside are owned by Cadillac Fairview. A very large number of their buildings are in my riding; so this is an important issue and one that obviously concerns all members of this Legislature.

I say all members because it has been suggested by members of the opposition that the members of the government party are less concerned and interested in this issue than the members of the opposition party. I clearly point out that this debate would not have proceeded this afternoon if unanimous consent had not been given by the Legislature, which means that the government totally endorsed this debate going ahead.

It is interesting to note that the opposition members made much of the fact that it was not convenient to proceed with this emergency debate on the last sitting day of this House. Today it is convenient and it is timely and appropriate that it proceed. The minister has indicated in his statements that he has the same concerns all the other members of this House have.

It is regrettable that suggestions were made by the speakers that the minister was less than totally concerned in this issue. That is ironic coming from members of the opposition when we only have to look at the impeccable record of the Minister of Consumer and Commercial Relations (Mr. Elgie), not only in his present portfolio but also when he represented all the working people in this province when he was the Minister of Labour. He has an impeccable record and one that clearly shows his deep and genuine concern for the working people of this province, for the people who reside in their own homes, for the people who rent their own living acccommodation. There is a deep, genuine concern there. I want to set the record straight in that regard.

The minister has clearly stated this afternoon that if there is a need to improve an already good system of rent control, he will take the necessary steps and measures. I think what concerns the minister, as it concerns me and the other members on this side of the House, is that we, as the government party, have to undertake the concerns of this issue based on the facts. We have to separate fact from fiction.

I guess the opposition members are entitled at times to perhaps take licence in intermingling fact with fiction. It is noted here in particular during this debate this afternoon that a great amount of speculation has been introduced into what were originally touted to us as facts that concern the opposition.

I listened with interest the other day when this debate was first brought on by the Leader of the Opposition and the five-minute debate proceeded. At that time, he said he wanted to talk about the facts that were leading to the impending disastrous consequences of a major real estate transaction as they related to thousands of Ontario residents.

I was looking for the facts on which he made that sweeping statement the other day. I was looking for the facts today that gave him cause and concern to suggest that thousands of tenants in the city are going to be walking the streets in the near future because of the finalization of this very significant real estate transaction.

Here are the facts that have been brought forward by the Liberal Party to date.

On Tuesday, the facts were simply that there was a very low vacancy rate in residential accommodation in this city and in the province.

That is not new. It was pointed out that on average the rent increases have not been holding at six per cent but have been in the area of 10 to 12, 14 per cent. That is not new.

Those facts do not specifically relate to this particular real estate transaction. So I was looking forward with interest today to learning the specific facts that are giving him the cause for concern. When he started out this afternoon, he said, "Here are the facts." I thought, "Here comes the real revelation."

After that great buildup, what were the facts that related to this real estate transaction? We got the name of the president of Greymac, one of the two parties to this transaction. It is right on the record. He gave us the name of the president of Greymac. They are the facts he brought forward on this transaction. From that point forward, it became conjecture.

The conjecture is that as a result of this transaction going through, the rents of tenants of those buildings owned by Cadillac Fairview will go up, as he stated, by 30, 40, 50 per cent. That was not good enough for his colleague the member for Yorkview (Mr. Spensieri). He wanted to inflate it even more. He suggested a few moments ago, "They are going up 60 and 70 per cent." He is no shirker. Let us really roll out the major increases.

They are not based on one germ of fact. We do not have before us the particulars of this major real estate transaction. Because it is so major, obviously it concerns all of us. But, as the minister said, he will deal with it and meet the concerns when we have the facts before us.

The integrity of the system has not been brought down because of this pending real estate transaction. It certainly is putting it to the test, and that is what is giving us concern, but until the facts are before us, I do not think that we should be going off making wild statements such as the member for Yorkview has made, that we are dealing with tinged financing and with exorbitant increases of 60 and 70 per cent.

Those wild assertions are not based on fact. Given the fact that he is one of the members of the learned legal profession, I am surprised that he would be making such inflammatory statements. The only thing I suggest that is tinged, with regard to his statements, is that there might be a tinge of slander in what he has been saying about these two parties to this very major and, as far as I understand it, very legitimate business transaction.

The fact of the matter, if we want to get down to the facts, is that we have a system in place. It is one that has integrity and it has stood the test of time since its inception in 1975 and its refinement in 1977. We all know about the six per cent level and what inflation has done to that, but it still maintains the system.

Tenants who call me and ask what is happening to a landlord who is asking for a 23 or 24 per cent increase say, "Why is this being allowed to happen?" I simply have to remind the tenant that landlords may ask for that; they may ask for the 60 or 70 per cent that our friend the member for Yorkview likes to bandy around at random. The fact is that they might ask for it, but they cannot get it until it is subjected to public scrutiny under our residential tenancy legislation. There is the protection. It is intact. It will remain intact before and after this transaction is consummated.

5 p.m.

The minister has indicated that if there is anything that would indicate the size of this transaction or the number of tenants involved in this one, singular undertaking would somehow impair the integrity of the system, he is prepared to take the remedial measures that would be necessary. But there are no facts to indicate it is going to pull down the system, as was implied by the opposition parties. We have to bear this in mind and separate fact from fiction.

With regard to the Foreign Investment Review Agency and the fact that it is foreign money, offshore money, and somehow this makes it a sinister transaction, this is based on speculation, on innuendo and certainly not on fact.

It has been suggested that because it is foreign money it is not going to build new rental space or accommodation in this city. Even if it is domestic money in the transaction—and the majority of it may very well be, I do not know—but whether foreign or domestic, it is not going to build another rental unit in this city. It is simply a transaction bringing a new owner into the picture. We have to be concerned about the refinancing and whether or not the evidence of it working against tenants is going to have an impact on this particular situation. That is the legitimate concern we have to zero in on, which the minister is monitoring most carefully.

Because of that concern of the minister, I am sure the system will be applied equitably and fairly on this transaction, as it will be on all others, and that the tenants in the Metropolitan Toronto area and throughout the rest of the province will continue to be protected under our existing residential tenancy legislation.

Mr. Sweeney: Mr. Speaker, I must begin by saying that I am less concerned with the categorization of facts than I am with the people who are involved in this issue.

I appreciate the comments of the member for Oriole (Mr. Williams) who said we have to stick to the facts. I agree with him; but the issue is not a lot of facts. The issue is that a large number of people in Metropolitan Toronto are in serious jeopardy of being priced out of an accommodation market.

I want to say to that member, and to all members of the government who are still in the House and who are still sufficiently interested in this issue—I am pleased to see there are a couple of members from Toronto who are still here—that we are dealing here with an issue concerning people, not facts.

Secondly, I would like to point out that when the original rent review legislation was evolved, was written, was put together, this type of situation was not considered. I can say that with a little bit of knowledge because I was involved in helping to draft the original legislation. I was involved a couple of years ago when we were going to be rewriting it. The minister will probably be aware of that fact as well.

He will recall that when we drafted the original legislation, and when we looked at the rewriting of it, we tried to bring some balance into the picture, a balance that said we did not want the tenants to be exploited in any way. At the same time, we fully recognized that legitimate landlords, operating in legitimate economic and legal ways, should have their rights protected as well.

If I may draw a reference to my own home riding, one of the things I took into those hearings, and took into the drafting of that legislation, was the recognition of a large number of landlords who had very small buildings of three, four, five or six units. They were even up as high as 14, 15 or 16 units, but these were not major corporate landlords in the normal sense of the word. They were individuals who had a small building, sometimes as a form of income on a regular basis, sometimes as a form of retirement plan, and we recognized that as time went on legitimate costs were going to be incurred by them and we would have to draft the legislation in such a way that those legitimate costs could be passed through.

We talked about a number of them. I would quite honestly say to the minister that I did not have in mind the kinds of manipulative legal and economic exercises that have taken place over the last couple of years, in my riding just as in Metro Toronto, where property is deliberately passed back and forth among a certain small group of people for the sole purpose of allowing each successive landlord to draw income from that property that the original owner would not be able to do.

That may or may not be the situation in this case; we do not know for sure. But we are dealing with such a large volume of apartment units and with such a large number of people that even when that seems to be the situation, we have to look at it most carefully. We cannot allow this simply to pass through the normal rent review procedure. We know what is happening at those regular hearings day after day, week after week.

In my own riding there is a property known as 1100 Courtland Avenue that has been sold three times in the last four years. Either I or representatives from my constituency office have had to be at rent review hearings in every instance. By dint of a certain amount of preparation and very hard work on the part of the tenants, we have managed to reduce the rent increases which the new owner asked for, but not substantially. In each case we are still talking of increases of 25 per cent, 30 per cent or even 33 per cent.

In two of those cases the sales were to owners in British Columbia, which is not in our jurisdiction. I am not suggesting that property cannot be sold and bought by people outside Ontario, but a very obvious loophole is being exploited here and this has been going on for the last few years.

I would be surprised if the minister's office is not aware of it. What action they are taking I honestly do not know, but I can say from experience that the present legislation was not intended to deal with that situation. I can also say that the present rent review procedure is not set up to deal with that particular situation. That is why we have to take a look at this particular sale, not in isolation but as an example of something that has been going on and, unless we are being very naive, as an example of something that is bound to continue.

I would suggest to the minister, as my leader suggested earlier in this debate, that if we do not look at this situation now, if we do not convince ourselves that it is a totally appropriate reaction and that everything is on the up-and-up, in the next one to two years we are going to be dealing with many more situations like this and the credibility of the rent review program will suffer.

Mr. Speaker, you will be aware the government has indicated some of the programs that have been put into place to help people requiring rental accommodation in the province. You may also be aware that a survey was done recently at York University on some of the government programs. This study clearly pointed out that the tax dollars put into those programs have not filtered down to benefit the tenants but have been stopped at the corporate level, with developers and large corporate landlords.

This suggests that even when the government steps in and puts more money into that market to try to resolve some of those issues, it is finding the corporate developers and corporate landlords are finding ways to divert the money to their own use. In fact, it is not helping the tenants in the Metropolitan Toronto area or in other parts of the province.

The issue at stake here is not the normal process of rent review. It is something which has been perceived. It has not yet been proved but we have a responsibility to check very carefully our perception of a manipulative and excessive use of rent increases.

5:10 p.m.

The minister will be well aware, as the member for Scarborough East (Mrs. Birch), I believe, pointed out earlier, that we have a serious problem with accommodation in the Metro Toronto area anyway. We know there are not enough units available; we know there are not enough people who can even afford the units that are available. It becomes all the more incumbent upon us when we see a situation like this, which is going to affect so many people, to look at it with great care. That is our responsibility.

We cannot fall back on asking: "Are you charging them with this? Are you saying that the rent review process cannot be made to work in this situation?" That is not the issue here at all. The issue is to look at this kind of situation, to recognize that it is symptomatic of other problems that have faced us in the past and to recognize that the rent review legislation was not designed to deal with this type of issue. It was not even seriously considered when we were debating rent review seven years ago. That is what we have to look at.

The members of the government party and the minister himself surely recognize after the years they have spent in this Legislature that no legislation is carved in stone. When it is drafted you do the best you can with the information available at the time. But as the years go on and new information comes to your attention, when you find that there are loopholes in the legislation that were not intended to be there, when you find that people for their own purposes are abusing those loopholes and that at least half the people the legislation was designed to protect are not in fact being protected, then you have to take another look at it and you have to make the changes.

That is doubly important in this particular situation, where we have the Toronto council expressing similar concern.

The minister is well aware that this is not just our concern; it is a concern of many people in this community. For that reason we are bringing this issue forward in an emergency debate today.

Mr. Renwick: Mr. Speaker, I want to make about three points in the course of my comments this afternoon about the bill.

My first objection basically is to the process by which these emergency debates are being dealt with in the House. We had the ridiculous situation with the question of Sudbury: one day it was not an emergency matter and two days later it was an emergency matter after the third occasion. Again, we have the situation where one day it is and one day it is not.

It seems to depend on whether or not the government decides it wants to have the emergency debate. I want to state my objection to that proposition, because it is very destructive of the rules of the House and what they are about, and I think it centres on the office of the Speaker in the way this rule is being interpreted and misinterpreted in the assembly.

Secondly, I want the House to understand very clearly that I do not accept what the Minister of Consumer and Commercial Relations (Mr. Elgie) is saying about the historic origin of the rent review legislation. He is trying now to suggest that in some way or other the policy of the government of Ontario was such as to protect tenants. It was never the intention of the government of Ontario to protect tenants. Their response was dictated by totally political considerations in the aftermath of the near destruction of the government in the 1975 election. That is the only reason we have the legislation.

We have never been able to obtain a single substantive amendment to that legislation from that day to this. It is very clear that the principles embodied in the bill were thrashed out in the assembly but they would never have seen the light of day had there not been a minority government after the election in 1975;

and one of the reasons for the minority government was the threat to the government because of what it was doing to the tenants of the province.

I am saying to the minister that in a very real sense this is being duplicated again. From its position of intransigent strength, the government, which treats this assembly as if it is a nonentity in the world of its government, is now in a position where it is offending the tenants of the metropolitan area of Toronto and undoubtedly elsewhere by its intransigent view that nothing can be done to change or improve the rent control legislation of the province.

At some point, either now, at the end of this debate or during the course of his estimates, I hope the minister will explain to me what he meant when he said today that the rent review commission of this province can talk about the legitimacy of the transaction and in some way can determine the legitimacy of the transaction.

We are not talking about legitimacy in the sense of a collusive transaction. I do not have any evidence to believe otherwise. This is not a collusive transaction which is taking place between Greymac and Cadillac Fairview. It is no more collusive than any other big financial transaction is collusive because there are always contacts and discussions. It is a matter of judgement and reflection as to whether that amounts to collusion, and who gets the benefit and who cuts the pie from the benefit which is obtained.

The minister knows those units in the province that predate 1976 and which are subject to rent review were going to be open to this kind of corporate stratagem, if I can use the term which the member for Huron-Middlesex (Mr. Riddell) used earlier, and could be used as a method of having the tenants bear the cost of the acquisition and the sale of the property, as my colleague the member for Etobicoke (Mr. Philip) clearly said. That is what is happening.

The minister stands there day after day and says to us in a patronizing tone that we must understand that costs have to be passed through. He does not understand that when one passes them through to people who do not have the capacity to pay, ultimately there is something unfair. It is the same confounded principle the government will not understand with respect to Bill 179. One cannot say to people, "You pass through the costs to people who cannot bear the costs which are being passed through."

That is exactly the point which this government does not understand is unfair and improper. The government is elected for the purpose of protecting people. I wish I could get it across to the minister, whom I believe to be humane. He occupies a political territory just north of the riding I represent. The people he represents include those who live in the high-rise apartments on Cosburn Avenue and Gamble Avenue.

What is he saying? Is he saying he is going to forfeit the interests of tenants in those apartments if they happen to be subjected to this kind of sale? Is he saying to them, "Let the tenants there vote for the Liberal Party," if God forbid they should think that was their source of salvation, "or vote for the NDP," which is likely to occur in that area?

The minister is not dumb; he is very smart. He should understand that and should not be required to stand in his place and defend an indefensible policy of the government. A much more fundamental and equally important question is involved in this to which this minister has to address his attention. The questions are still there with a big question mark beside them: Who is Greymac? Who is it fronting for? Who is it acting for? Where is the money coming from? What is the deal involved in it?

The minister knows it is a very real problem, but he knows he does not have the capacity to deal with it. Because he does not have the authority of his cabinet colleagues he says, "Let FIRA deal with it." That is not the problem. The problem is involved with lands and buildings in Ontario.

Historically, it was a tradition of the government of Ontario from the days of the Empire Loyalists in Upper Canada that the ownership of land by corporations was a matter that was a legitimate area for government to monitor. They did monitor it over the years. They made certain they knew which of these strange, intangible persons called corporations owned land and for what purpose, because it was inimical to the growth and development of the province that land should be held by corporations in perpetuity and subsequently that land should be owned by corporations and alienated in such a way that nobody ever knew who the ultimate beneficial owners of land in the province were.

5:20 p.m.

One does not have to be a Socialist or belong to any political party to understand that since the Ontario Law Reform Commission drew attention to this problem in 1976 in its report, the government has done nothing. All it did was to bring forward the repeal of the only act, which

was an anachronism within the province, that dealt with the problem of the monitoring by government of the ownership of land in the province. The member for Huron-Middlesex, the former member for York South and a number of other members in the House have talked about this problem with respect to agricultural land.

I am saying to the minister, the problem is identical with respect to the kinds of housing that are developing, and have developed, in Metropolitan Toronto, the immense apartment complexes. It is absolutely essential that this government knows who owns the property and who is responsible for it, as well as the legitimacy of the transaction. It should be a matter of public policy to prohibit the sale to any organization of land and buildings in Ontario which are used for tenant accommodation, unless it is fully disclosed on the record who owns the corporation that is going to purchase the land, who are the beneficial owners—

The Acting Speaker (Mr. Robinson): The member's time has expired.

Mr. Renwick: —of that interest, and what is the responsibility of this government with respect to protecting tenants against that kind of foreign ownership. That may appear to be a problem the minister can duck, but I am saying that until he comes to grips with another aspect of this question, the foreign ownership of land in Ontario, he will have failed in his ministry as Minister of Consumer and Commercial Relations.

Mr. Shymko: Mr. Speaker, I welcome the opportunity this afternoon to speak on the motion for a number of reasons. I did have a question, as some members will recall, that was to be addressed to the minister, and it will be integrated in some of the comments I have to make today.

What irks and bothers me is the unfortunate exploitation of a concern that is, in my opinion, genuine on both sides of this House and shared by many, whatever our partisan politics. What is unfortunate is the political game-playing that is being done with people and I will give an example of that.

Mr. Renwick: Stop it.

Mr. Shymko: The member tells me to stop it, but I will give him an example where I was stopped at a public meeting held in my riding by New Democratic Party Alderman White. It was a meeting of tenants in my riding at Western Technical-Commercial, and I was prevented from addressing my constituents because I was not "a tenant in a Cadillac apartment."

That is the type of posturing and political game-playing that I cannot accept, because my concerns are just as genuine as anybody else's concerns and no one has any monopoly of compassion, any monopoly of concern. It is unfortunate that we witness unscrupulous exploitation, scare tactics, the spreading of panic among genuine, innocent people who still are not aware of what will be happening because of circumstances.

I am not in any way trying to indicate that the honourable member's motion is part of that political game-playing. We see a lot of it in this House, but that is the so-called freedom of speech that an NDP alderman granted to me in my constituency. That is the way he runs public meetings, by preventing an elected member from sharing similar concerns. Thank God I can talk with some NDP members in this House, directly addressing them here, or speaking to them and with them in the corridors of power in this prestigious and great facility where we can address the issues equally and squarely.

There are genuine fears. I share them more than anybody else because there are close to 3,000 such units in my constituency. We are talking of almost 6,000 constituents who would be affected in case of any proven evidence that they will be faced with huge increases. I am just as concerned as anyone else in this House.

I would like to point out that without question the rental housing situation is of major concern to this government. I would like to state that before even one question was raised by the opposition, by either party, in late September the question was raised by the minister and by yours truly in full caucus. This matter was on the agenda of our Metro caucus.

I am not giving the honourable members details, but I am trying to point out that the matter was discussed before anyone even got up on the opposition side to publicly raise and posture about their compassion and concern.

I would like to congratulate the minister at this time. He indicated today that he is calling the representatives of Greymac and Cadillac Fairview to sit down with him and to clarify what is happening; to provide him with the information that he certainly seeks. I congratulate the minister for the audacity of taking that pen or typewriter and corresponding with the Foreign Investment Review Agency and demand-

ing that they investigate. I have not heard one of the members—

Interjections.

The Acting Speaker: Order. The member for High Park-Swansea has the floor.

Mr. Shymko: When the member for Riverdale (Mr. Renwick) talks about the minister being humane, there is no one who has a monopoly on being humane. This minister is just as humane on this issue as anybody else, perhaps more so than others.

For the record, it was this government which in 1975 introduced rent control. It was this government that passed the legislation intended to be just and fair to both tenants and landlords and which was refined in 1977. I believe the minister is ready, as he indicated, to look at some reviews, to look at some options, to look at some reasonable changes, if necessary. He is willing to do it. He has the compassion. He has the desire and he has the concern.

Let us be realistic. Because of increasing property values and current high interest rates, as the minister and others pointed out, it is most likely that many owners and landlords will be facing financial loss. I refer to the working-class landlord who worked all his life to have the little duplex, triplex or fourplex. He is faced with problems. He needs protection. If one talks to the workers in my constituency, he has, on the opposite side, equal concerns to those of our tenants who are hit with high interest rates, with inflation. He is just as afraid and has the problem of facing rent increases.

5:30 p.m.

I would like to ask the minister, following his meeting with Greymac and Cadillac Fairview and perhaps after receiving a response from FIRA, to share with this House the information he receives, to crack that "wall of silence" as the press described it, the climate of fear and uncertainty that surrounds the Greymac deal and which, in my opinion, is at the very root of that exploitative game that is being played.

I do not want to put any words in the minister's mouth, but I am confident any pertinent information will be shared with this House.

On October 13, the City of Toronto Planning Board on a motion by one of its members, Derwyn Shea, passed the following unanimous resolution: "In the light of recent press reports concerning the possible sale of some or all of Cadillac Fairview's rental units to another firm, be it resolved that the commissioner of planning report on the potential economic implications of such a transfer of ownership and the possible implications vis-à-vis rent control and economic stability in the city rental market." That motion shows the concern that is there. The commissioner is asked to look into the economic implications of this transfer of ownership, economic stability in the rental market and the whole question of rent control.

I share this concern and urge the minister, as chairman of the cabinet committee on administered prices and the minister responsible for rent control, who also shares these concerns, to look at possible regulatory options and guidelines that may allow some discretionary decisions on his part, or perhaps that of the Residential Tenancy Commission, for future application. I am not talking about the retroactive aspects, but of preventing Greymac, or for that matter any landlord, from passing in the future what I would consider unrealistic rent increases, at levels that make a mockery of rent control and ridicule this government's newly announced inflation restraint program—

The Acting Speaker: The member's time has expired.

Mr. Shymko: —aimed at monitoring and restraining price increases in the private sector, including rent.

Mr. Nixon: Mr. Speaker, I think we are all aware that one of the most serious pressures that have resulted in increases in rent has been the additional refinancing costs when properties have changed hands. The rent review officers have allowed these pass-throughs and in many instances, along with other more legitimate increases in costs, they have resulted in upward changes in the rents of 16 per cent to 20 per cent to sometimes over 30 per cent.

The motion that is before the House refers to the rental situation across the province as well as that directly connected with the acquisition of the large number of rental units owned by Cadillac Fairview.

If one were to journey to the city of Brantford one could buy a home on a separate lot with a gas furnace and an attached garage, all in good shape, for just about $30,000. That does not mean the upward pressure on rents, particularly for senior citizens, has not become appalling.

The information that has come to me has always been on the occasion when properties have been sold to new owners and where very large borrowings have been required at high interest rates, and the rent review officers, with the instructions they have been provided under

our statute and our regulations, have been forced to allow those costs to be passed through.

We have to come to grips with that. The minister—I agree with the previous speaker—is humane, understanding and smart and therefore probably is as well qualified as anybody on that side to carry out the changes that are obviously necessary. When we see ads in the city of Toronto for people setting up a business to advise landlords on how to get larger increases approved by the rent review officers, surely it is time to look at our own responsibilities to see that justice is done, I suppose, as well as seen to be done, by the tenants in this city and elsewhere.

It has been said by many people that Cadillac Fairview has been an exemplary landlord. As far as I know, they have not gone to rent review on any of their many thousands of units, and as far as I am concerned they have had a reputation for keeping units of very high quality. I think that ought to be said. It may be that they are just so sick of seeing some of their competition in the apartment renting business move ahead of them so dramatically in the area of profitability that they have decided that rather than go into the rent review scam—and that is just about what it has developed into in recent months—they would prefer to sell out and let somebody else do what might be seen by them as the dirty work.

It seems to me this is the time for us in this House, with the leadership of the minister and the government, to do something that will at least put the situation on ice for a time. This is pretty dramatic, but I believe the minister should announce that these rentals are going to be included, at least for the coming year, in the six per cent guidelines that have been a part of federal and now of provincial policy with regard to our employees and our provincial emanations.

There is no doubt that some landlords will be quite seriously hurt in this connection, and under the present bill that is being debated in the committee there is recourse to a board for some instances where the facts would permit some leeway in this connection. But a year's freeze on rent increases at six per cent should be considered until some other alternative can be brought to bear that is going to work for the protection of the tenants and, as far as possible, the protection of the landlords.

It is very difficult to have it both ways; I know this is so. But under these circumstances the pass-throughs of costs resulting in an average rent increases of 16 per cent, and in many instances over 25 per cent I am told, really cannot be allowed to continue. I can recount more than one specific instance of people who have called me—and in each case these are senior citizens living in very good rental premises in the city of Brantford and its environs—who have been faced in the last three years with substantial increases in rent approved by the rent review procedure.

The most recent instance contained an increase of over 30 per cent. These people feel—and I feel they are justified in this—that they are being treated in an unfair way, particularly in a jurisdiction that has a rent review procedure that has in years past commanded a good deal of respect and confidence in the community. It worked reasonably well for a number of years, but now that these pass-through costs are being added to the rents on the basis of refinancing costs, I believe we have to take an additional look at it.

I am not prepared to make any comment on what has been referred to as the allegations of collusive dealings in this connection. I know nothing about that. It seems to me, however, that since Cadillac Fairview rentals must have lagged behind similar rentals in other facilities, and since they are prepared to sell on the basis of the new owners getting the rent increases that might be available under the procedures the rent review officers are currently using, it would be a good buy for Greymac Corp. The price would be comparatively reduced because of the low rents, and they can then change it under our present inadequate regulations and statutes.

5:40 p.m.

I was interested in today's Toronto Star business section where there is an interesting story about the sale by the darling of the conservative Conservatives, Peter Pocklington, of 2,584 Toronto apartment units he owns through his corporation called Patrician Land Corp. He is selling these to an American concern called the National Life Tennessee Corp.

It appears this is an instance where somebody who is going into the political sphere does not want to have to deal with rental review, and all the aspects he might not find attractive there, and is selling this out to some American corporation which probably will have no compunction about getting all the rent increases the traffic will bear, and then even more.

It is interesting to note that former United States President Gerald Ford was the finder for Pocklington, who is evidently looking for savings and loan companies to take over in the United States. He is selling his apartments for

the ownership of an American savings and loan corporation, which he understands is going to be deregulated early in 1983 as the next step in Reaganomics.

This is happening more and more rapidly. I feel sure the minister and his colleagues will have to take some action without delay. The matter is becoming one of the greatest concerns, politically and otherwise.

I do not want to deal with the political issues other than to say to my friend who spoke first for the New Democratic Party, the member for Etobicoke (Mr. Philip), that the whole concept of rent review was really mothered by that great Liberal Margaret Campbell who, as one of the strongest voices for tenants in Metropolitan Toronto, brought forward a fully worked-out program that was the basis of our presentation to the electorate in 1975.

The reason we were less successful than many of us had hoped was on no account because of the inadequacies of that program. It was really the bellwether, the leading program that brought the NDP belatedly and, finally, the Tories kicking and screaming to the whole concept of rent review. As a matter of fact, I am extremely proud of having been the leader of the Liberal Party in those days when we provided this leadership on an issue that everyone could recognize, then and now, as truly Liberal.

Ms. Bryden: Mr. Speaker, I am glad we are having this debate. The Liberals first asked for it two days ago and then in the standing committee on general government they flip-flopped and said we should have it next week or maybe the week after because it did not appear to be an emergency. Today they have gone back and said it appears to be an emergency.

I am glad the Speaker has recognized that it is an emergency, because we do have a very serious situation. In the committee yesterday, one Conservative speaker said we could not set aside this proposal or limit it in any way, because we were dealing with two large and important corporations and their property rights, and it would have tremendous repercussions if their property rights were interfered with.

There are also the rights of 11,000 tenants who face the possibility of sharp increases in their rents. Surely they also have a right to reasonable rents and should not be expected to finance takeovers and purchases among large corporations. In particular, they should not have to finance the ventures of foreign corporations in this country if those ventures are going to result in serious hardship for 11,000 tenants.

The fact the Conservatives have refused to raise a finger in this situation indicates their acceptance of the absolute rule of the bottom line and the absolute rights of soulless corporations to buy and sell their property as they like.

This is also reflected in the way the rent review legislation is being administered today. We know that refinancing costs are being passed through to tenants, and we know there are loopholes which allow that in the legislation. We have been drawing those loopholes to the attention of the government for several years. My colleague the member for Etobicoke (Mr. Philip) as recently as September of this year brought in a private bill to plug those loopholes. Have we had any action from the government? No.

The government is certainly very much aware of those loopholes, as it has seen the rising awards that are coming from the rent review board. In my own riding last year, one owner asked for a 100 per cent increase in rents. When it came to the rent review board, by dint of tenants appearing and putting their arguments very forcibly, the rent review board cut that 100 per cent increase to 50 per cent. But how many of us can absorb a 50 per cent increase in our shelter costs in one year? Those tenants had to either look for cheaper accommodation or severely cut their standard of living. Those same tenants in the next year, this year with us now, faced another 35 per cent increase. Practically all this increase was for refinancing costs, plus certain repairs that were necessary, because the building actually had been sold far beyond its value and they had to put in repairs as well.

This kind of increase is simply not acceptable in our society. We have to remember that many of these 11,000 people are long-term tenants in the apartments. They have made their lives in the neighbourhoods in which they live. They have maintained their apartments, often at their own expense, to keep them as good living accommodation. Many of them are of modest income, many of them are pensioners who have no surplus to absorb very large increases, and many of them are in the public sector and will be facing a wage curtailment, a wage increase of not more than five per cent, in the coming year. How can they be expected to absorb huge increases in their rental costs?

I am surprised that the Liberals have suddenly discovered that these 11,000 tenants have votes and that they should be championing their cause. The Liberals in 1977 permitted rent review to be removed from a great many tenants

of public housing; so they have nothing to prevent them from having increases over six per cent in any one year, and many of them are facing increases of more than six per cent, including tenants of senior citizens' apartments. How anybody on a senior citizen pension, getting the small increase that comes through the old age security, can be expected to absorb anything more than six per cent is certainly something to be wondered at. But the government and the Liberals together voted during minority government to take all those people out from under rent review.

In my riding, they also took out the residents of Main Square, which has about 1,400 apartments on a sort of limited-dividend arrangement. It is a very special arrangement, and they have no protection under rent review either.

The anomalies have been growing as a result of the votes of the two other parties, but now they have discovered there are 11,000 tenants out there who need protection and so they are suggesting that perhaps the government should act. In fact, Mr. Eggleton was so carried away that he voted for subsidizing private sector rents in the executive committee yesterday.

5:50 p.m.

What is needed is an immediate freeze on the present situation. There is still time. The deal will not be consummated until November 16. Then there will be an examination of the effects on those tenants and what sort of changes we need in the rent review legislation to prevent the tremendous pass-through of refinancing costs so no tenant faces increases that will put him or her out of his or her house. This is what will happen to a great many of these people. They will have to go to substandard accommodation or double up.

This city already has a very tight rental situation. We know that the vacancy rate is well under one per cent. This will simply add to the pressure. It will also add to the pressure on landlords to raise rents by any loopholes they can find in the present legislation.

We know that the New Democratic Party was largely responsible for getting this legislation by making it an election issue in 1975, but it has been eroded over the years and it needs a great deal of tightening up. This is an opportunity for us to freeze this transaction and to tighten up the legislation.

In particular, when it is a case of a foreign corporation involved in the transaction, it is a time for us to look at the role of the Foreign Investment Review Agency in protecting not only the Canadian economy, which was one of its original mandates, but also Canadians from the effect of foreign investment.

This is a case where both of the other parties have been trying to weaken FIRA. They have been saying that it is preventing foreign investment. If we are going to get foreign investment at the expense of pauperizing 11,000 tenants, then I do not think we want that kind of foreign investment. I think we need to tighten FIRA. Its record in the case of real estate transactions is that it has disallowed one and passed all the others. I do not think that either of the other parties can continue to ask for the weakening of FIRA and, at the same time, say they are protecting these tenants.

This is an opportunity for the government to review the whole situation and see what can be done immediately to stop this particular transaction and to see that the rights of the tenants are protected. This is also an opportunity to bring in a revision of the rent review legislation to prevent this sort of situation arising.

The Acting Speaker: In calling on the member for St. George to speak, I draw her attention to the clock and remind her that there are approximately seven minutes remaining in the debate.

Ms. Fish: Mr. Speaker, I will confine my remarks to just a couple of points, in view of the hour.

When legislation, programs and structures of the sort we are dealing with, such as rent review and the Residential Tenancy Commission, have been in operation for some time, I consider it is very appropriate that some of the fundamental premises be re-examined on occasion to ascertain whether the effectiveness that was sought at the outset continues to be the case in the light of changing circumstances.

I will direct my remarks particularly to the grounds or criteria on which decisions are made through the implementation of the rent review program, rather than speaking to the question of where changes might be appropriate as between guidelines, legislation or elsewhere.

I particularly want to suggest, recommend or urge that the minister and the commission give consideration to the question that may arise on the sale or refinancing of buildings. I am speaking in a rather more general way than about the particulars of the Greymac proposed purchase of the Cadillac Fairview portfolio in that it seems to me that the questions that have arisen with that particular case are applicable in many

others as well, although perhaps they are not as large.

I note, for example, that the commission not very long ago dealt with the issue of an arm's-length transaction or lack thereof in a notable and extraordinary sale that was being proposed on Davisville in the city of Toronto, and it held that the transactions are required to be at arm's length. The decision of the commission was very interesting, though, and it raises the question and the opportunity to extend some of the considerations of the commission at that time.

For example, it does not take a doctorate in land economics to know that if the vendor will take back a mortgage, notably at a point or two or three below what is available in the private money markets in an arm's-length transaction, the price of the land and the building can be inflated. It does not take a doctorate in land economics to know that when this happens, there is an ongoing and continuing interest by the now former owner in that particular piece of property.

As well, a fair guarantee of continued revenue from that building by virtue of a pay-down on a mortgage that is taken back is a revenue that perhaps would not be available to that owner should the owner simply have sought a rent increase through a normal rent review application. It seems to me that considerable attention should be given to the question of any take-back mortgages by vendors and that a question should be posed—and I pose it—as to whether that becomes, within the spirit of the legislation, truly an arm's-length transaction with respect to allowable cost pass-through.

I also suggest that considerable attention should be given to a situation—I believe I heard the member for Kitchener-Wilmot (Mr. Sweeney) correctly; I may not have, but I interpreted some of his remarks as suggesting it—in which owners of one building and owners of another are in effect making trades betwixt and between. When that happens in a given community, within a given jurisdiction of an office of the Residential Tenancy Commission, that kind of experience is perhaps traceable. It is far more difficult if it involves large companies and if it is widespread, occurring in different communities.

But it seems to me that the pattern of dealings between companies or landlords or property owners, which may place in doubt the question of whether this is genuinely an arm's-length transaction, ought as well to be considered when the allowable amount on any pass-through on financing is considered in respect of costs that are allowed to go through.

It seems to me as well that consideration should be given, quite apart from the rather extraordinary challenge in the courts by the proposed or perhaps current owners of Graydon Hall, I think it is, to the matter of the requirement for equity. I think it is perhaps timely to review the current guideline of a 15 per cent requirement of equity as it is allowable on the cost pass-through, which is normally phrased as 85 per cent being allowed in the pass-through. I note that this guideline established at 85 and 15 flowed primarily from approximately 30 years of experience and practice in the development community, where that was the average and the general practice.

We are now seeing an extraordinary and, I might suggest, thoroughly appalling condition where there are no equity circumstances in a purchase, where they are entirely separately financed situations. When one puts that together with the question of whether there are vendor take-backs or of the degree to which a transaction was genuinely at arm's length, it raises a severe question in my mind.

I suggest that the matter of equity requirement be given very serious consideration and review. From my perspective I urge that, particularly in these economic climes, the requirement for equity should not be reduced from 15 per cent but indeed should be substantially increased as regards the allowable pass-through.

Finally and ever so briefly, to the extent that there is a genuine arm's-length transaction and to the extent that there is an increase in cost that would be viewed by all reasonable people examining an application before them that would involve a pass-through or an amendment to the rent, I urge that very serious consideration be given to reconsidering the three-year requirement with a view to increasing very substantially the amortization period through which any such cost could reasonably be passed through to the tenants.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Before we break for supper, I would like to indicate the business for the remainder of this week and next.

Mr. Conway: Taking us all to the Albany Club?

Hon. Mr. Wells: No.

The Acting Speaker (Mr. Robinson): Please

ignore the interjections and continue with your statement.

Hon. Mr. Wells: The honourable member could join me. I am sure he had an invitation. Tonight is the consular ball, and he would be most welcome there, I am sure.

The business for tonight is as on the Order Paper: resuming the adjourned debate on the motion for adoption of the report of the standing committee on procedural affairs, and then, if time permits, recommendations contained in the ninth report of the select committee on the Ombudsman.

Tomorrow, Friday, October 29, we will begin the estimates of the Management Board of Cabinet. These estimates will continue in committee of supply in the House on Monday afternoon, November 1.

On Tuesday, November 2, we will consider legislation in the following order: third reading of Bills 91, 93, 163, 164, 171 and 172; second reading of Bills 109 and 150; committee of the whole on Bills 109, 149 and 150; and second reading and committee of the whole, if required, on Bills 145, 146, 131, 132, 176 and 177.

On Wednesday, November 3, the usual three committees may sit in the morning: administration of justice, general government and resources development.

On Thursday, November 4, in the afternoon, we will consider private members' ballot items still remaining in the names of Mr. McNeil and Mr. Di Santo. On Thursday evening we will begin the debate on the motion for the adoption of the recommendations in the ninth report of the select committee on the Ombudsman.

On Friday, November 5, in committee of supply, we will consider the estimates of the Management Board of Cabinet.

I might also indicate to the House that it is our intention to begin sittings on Monday evenings on November 15.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, I also wish to table the answers to questions 235, 500, 501, 506, 507, 508 and 539 standing on the Notice Paper [see Hansard for Friday, October 29]. A little reading for suppertime.

The House recessed at 6:03 p.m.

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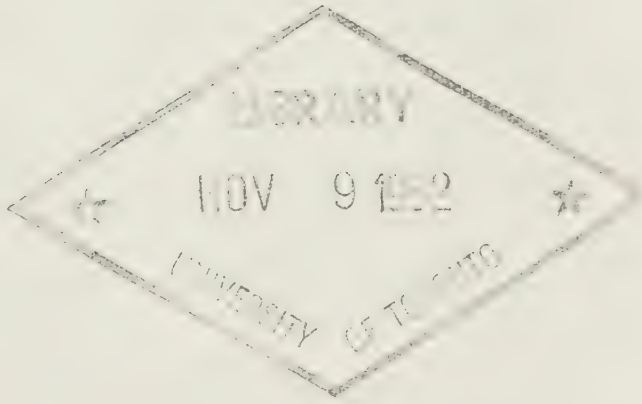
Publications



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Thursday, October 28, 1982
Evening Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Thursday, October 28, 1982

The House resumed at 8 p.m.

REPORT, STANDING COMMITTEE ON PROCEDURAL AFFAIRS (continued)

Resuming the adjourned debate on the motion for adoption of the fifth report of the standing committee on procedural affairs on agencies, boards and commissions.

Mr. Kerr: I would like to comment briefly on the fifth report on agencies, boards and commissions. Honourable members will see, if they have a copy of it in front of them, that it refers to the Ontario Board of Censors, the Ontario Police Commission, the Toronto Area Transit Operating Authority and the Ontario Energy Board.

This is, in my opinion, a good report. There are in it some very meaty recommendations, some of which have been adopted or will be adopted by those ministers who have responsibility for the agencies or commissions.

In reviewing the agencies considered by the committee, the comittee found that the Board of Censors was, to say the least, rather interesting.

Mr. Nixon: I hear you went down and watched some of the movies.

Mr. Kerr: Yes. The committee visited the offices and facilities of the theatres branch of the censor board in Leaside. We met and talked with members of the board and viewed some of the films that were required for showing. We also viewed some of the films that were rejected by the censor board and some of those which ultimately were shown in a restricted category after having had some portions censored.

For example, we saw The Tin Drum, which, as members know, is a rather controversial movie, particularly the part which had been deleted. The censored clip was the subject of a great deal of controversy.

I think the committee left those offices with a much better idea of the board's task and responsibility and the difficulty it has in making some of its decisions.

We concluded there was a lot of garbage coming into Ontario under the guise of entertainment. It is important some method of classification or censoring is carried out in Ontario by a board of this kind to siphon off the garbage I have talked about.

The members will note from the report the three main criteria used by the board in censoring motion pictures: One is excessive violence, the second is sexual exploitation of children and the third is excessive ill-treatment of animals in motion pictures.

There are five recommendations in the report. One is to change the name of the board. I am sure this will be referred to later by my colleague who will be speaking specifically about the Ontario Board of Censors. It is requested there be some relation to community standards in imposing any type of classification or censorship, that people who are appointed to the board reflect a cross-section of the population of our province, and that there be a better definition of the word "obscene" or "obscenity."

Also, there is the last recommendation that "the Attorney General of Ontario increase his efforts to enforce the 'obscenity' provisions of the Criminal Code." We felt as a committee that by doing this it would take a certain amount of heat off the censor board. Obscenity can be in various forms. If the existing provisions of the Criminal Code in relation to obscenity were enforced when there is cruelty, undue exploitation of children, excessive sex or what have you in motion pictures, a certain precedent would be established by which the board could judge censorship in the future.

It could set criteria for classification in a way the members of the board could refer to some decision or precedent of the courts rather than put up with the criticism that in some way they are being unfairly hard on good motion pictures which may be classified as some form of culture.

In dealing with the Ontario Police Commission, the members will note most of the recommendations deal with training, standards and complaint procedures. These are most appropriate areas and need consideration. There has been substantial discussion and debate about complaint procedures, about citizens' complaints. We now have some legislation dealing with complaint procedures, particularly in relation to the Metropolitan Board of Commissioners of

Police. We think these are pertinent recommendations, requiring consideration, and which need to be made.

8:10 p.m.

Regarding the complaint procedure, we have come up with a rather simple solution. There is such a thing as the Ontario Police Commission. It has been established for a number of years. We think it is an independent body, an unbiased body, a body made up of a certain amount of expertise, people with background, training and education. We make the suggestion, on page 15 of the report, that the citizen complaint process consist of two steps. In the first instance a complaint may be lodged with the local chief of police or local police governing body. Any appeal therefrom would lie directly to the Ontario Police Commission.

We do not have to establish anything new. We do not have to hire 10, 15 or 20 citizens to set up a commission to deal with complaints against police. We suggest that what exists at the present time should be made use of and ultimately the Ontario Police Commission be given the authority to make the final decision.

On the Toronto Area Transit Operating Authority, which is another rather important body, particularly to those of us who live in southwestern Ontario and southern Ontario and the Metropolitan Toronto area, we have a number of recommendations. We recognize the need for better service, expanded service. We deal with the question of rights of way, the difficulties the ministry has had with Canadian National Railways in respect to rights of way, the contracts that have been entered into between the province and the CNR, and the unreasonableness of the CNR in respect to the use of the rights of way.

Happily, since this report was published, we have had an announcement by the Ministry of Transportation and Communications regarding a new long-term program and plans over a 10- or 15-year period for the expansion of TATOA, the expansion of rapid transit and for the twinning of rail lines to Hamilton and to Oshawa. This answers many of the recommendations in our report, particularly with respect to the extension of rail commuter service to Oshawa in the east and to Hamilton-Stoney Creek.

It is almost psychic the way we came up with this recommendation. It is quite possible that the minister, on receiving a draft copy of this report, brought in his general recommendations for improved services on GO Transit in the province. In that respect, the committee has done its work very well; it has been made very worth while.

But seriously, by the twinning of the the most used lines in the most populated area in the south Lakeshore corridor, by using our own rights of way or hydro rights of way with a different form or type of transportation, there is no question that we overcome the difficulty we are having in making contracts with some other government agency or tribunal in respect to the use of their rights of way. That has been a major problem and a major stumbling block with the ministry.

The Ontario Energy Board: The committee dealt extensively with the operation of the board. In my opinion, and I think members will agree, the most important recommendation in that report is the one which recommends that the Ontario Energy Board have the power to order the final rate structure of Ontario Hydro in respect to applications for rate increases by Hydro.

As members know, at the present time, after lengthy hearings, the board can just recommend. This year, however, because of our restraint program and the restraint environment generally, the Ontario Energy Board recommendation was for the most part accepted by Hydro in setting its rates rather than the figure or percentage for which the corporation had asked. With gas companies and other utilities, the decision of the energy board is final and has to be followed by private utilities, Therefore, rather than having some form of charade, we consider the same should apply to Ontario Hydro. I am sure this will be a subject of some debate a little later.

Another point raised by our committee in this report deals with the question of uninterrupted service in the event of a gas company ceasing its operations. In a number of situations, some small independent gas companies, particularly in eastern Ontario, have for various reasons gone under. Thus, despite the fact that customers have paid their bills up to date, the companies have ceased to operate because of various problems with the utility, thereby denying service to these customers. We suggest that the Ontario Energy Board or the Ministry of Energy step in to ensure that there is uninterrupted service in the event of a gas company ceasing its operations in that way.

Also, we recommend on page 30 that if somebody has not paid his bill and there is some question of whether or not there had been proper notice, then hydro service or gas service

to a customer, particularly if it is used for heating a home, should never be cut off on Saturday or Sunday. On those days he cannot complain and even the emergency number you call really is not in operation.

For the most part the utility does not have the power to turn on the fuel over the weekend. If there are any problems, the utility should make sure the customer is aware that he has had whatever final notice exists, and any cessation of service should be done some time between Monday and Friday. There would then be an opportunity for that person to pay whatever arrears happen to be owing so he will not freeze over the weekend.

That is all I really have to say about the report. I think it is a good report. It contains recommendations that should be considered by the Legislature if they have not been considered already by the various ministries. I commend the report to the members and urge its adoption.

Mr. Epp: Mr. Speaker, I am pleased to be able to speak to this report, the fifth report of the committee studying agencies.

I want to draw attention particularly to the fact that John Eichmanis, who did a lot of work on this report and is a tremendous source of information and knowledge, is in the Speaker's gallery tonight. The gallery is almost full; I can see that. I want to compliment him publicly on the good work he is doing for the committee on not only this report but a number of other things.

The chairman, who has just spoken, also is doing a very admirable job, as is the clerk of the committee. We are very pleased to have got another report out.

The only frustrating part is that there are over 300 agencies, boards and commissions. One is added almost every week, according to the government, because they keep on adding more of them. I do not think any have been sunsetted; there is a recommendation that one be sunsetted.

I think we have too many boards, commissions and agencies in the province. In the future the committee will have to take a closer look at the ramifications of there being so many places to which the government can appoint people by way of patronage so that their members can come to Toronto and collect their per diem rates.

8:20 p.m.

I do not want to detract from the fact that some of them are doing excellent work. But I think there are many other agencies which, if they were sunsetted, nobody outside the membership would notice it. Some of them meet only once a year; some even less frequently. I think the only people who know they are meeting are the membership and the Treasury. The people of Ontario would benefit by having some of those commissions, agencies and boards sunsetted.

To return to the report in front of us, some of the recommendations relate to the Ontario Board of Censors. As the chairman and first speaker has indicated, a number of categories govern the operations of the censor board.

Members will perhaps be surprised to hear that the board meets in an old truck depot in Leaside, behind the railway tracks. One would hardly know they were there, or that is the place the clipping and censoring goes on, or that the censoring is not as extensive as many people believe it is.

Nevertheless, the reforms that have been instituted in the last year or two have improved matters. The chairman and vice-chairman are civil servants and permanent employees, and there are about 13 part-time employees. The long-term aim is to have 25 people who will be helping on a part-time basis with the evaluation of films.

I am pleased that the Solicitor General (Mr. G. W. Taylor) is here today. Some of the recommendations in this report with respect to the Ontario Police Commission relate to his ministry and I wish to speak about that.

The members of the committee were able to see some of the excerpts that had been clipped from various films and I must say I was aghast. I thought people would have to be insane to put such things in films. I sympathize with the board and do not for a moment envy them their task. We should be pleased to have citizens who are prepared to view these films day after day.

There are differences of opinion about censorship, but I am one person who believes we should have some form of it. So I had no difficulty in supporting the report as presented. The films being censored represent about four per cent of the total number of films that enter the province. If we were all able to see some of the things that are cut from this four per cent, I think it would be easier for us to understand the work the censors are doing.

Some people who are critical of the censors' work have probably never seen what this work consists of. Philosophically, there may be some difficulty with censorship but it is easier to understand the problems of the censor board when you see the kind of work they are doing.

Regarding the recommendations, one of the changes the chairman has indicated is a name change from the Ontario Board of Censors to the Ontario Classification and Censorship Board. I do not think this was intended to be the forerunner to eventually getting rid of censorship. Rather, it was an indication that classification represents a much greater amount of their work than actual censorship. As I indicated, only about four per cent of their work is in censorship as opposed to a great deal of work with respect to classification.

I want to refer to page 7 of the report where we also speak about the Criminal Code and the definition of "obscene." We indicate in the report that as it is defined now, "obscene" is "the undue exploitation of sex or of sex and crime, horror, cruelty and violence."

There is a recommendation in the report that this definition should be clarified because it seems that horror, cruelty, crime and violence might not be regarded as obscene if they are taken in isolation from sex. In other words, one almost has sex and then crime, horror, cruelty and violence associated with it. We believe that "obscene" should also reflect cruelty in isolation, violence in isolation, or crime in isolation as opposed to only in relation to sex.

The second recommendation with respect to the second study of an agency, board or commission has to do with the Ontario Police Commission. We had the opportunity of visiting its facilities, which are I think more than adequate. It is doing a relatively good job in the province. There is, however, a considerable amount of room for improvement. Where the procedural affairs committee noted improvements should be made, we made some recommendations.

I do not want to touch on all the recommendations but there are some we should highlight. In addition to that, I want to touch on one or two areas that are not in the report but are related to the OPC and to other police commissions in the province. I know the Solicitor General would be interested in noting that, as far as police commissions in the province are concerned, the majority of commission members are still appointed by the province. The Solicitor General probably has the opportunity of recommending these appointments.

Our experience in Waterloo region has taught us that is not a very good policy. Those of us who come from the Waterloo region have had a difficult time in the last few years because of the operations of the police commission. That is no reflection on any particular commission. The present commissioners in the Waterloo region are doing an excellent job in trying to deal with a very difficult problem.

Nevertheless, the composition of that commission could be improved with the appointment of the majority of members by a public body or by the regional council itself. As members know, currently three of those people on the police commission are appointed by the province—one is a judge, although that is not mandatory—and two are appointed by council, for a total of five.

The council believes, and I think a large segment of the public believes, that the majority of members on the commission should be appointed by regional council. Whoever pays the piper calls the tune. In this case, the province is paying the least amount of money. Most of it comes from the local council, from the local citizens through property taxes, yet the province wants to have the upper hand in appointing three members rather than two.

8:30 p.m.

While we are speaking about that, I also feel very strongly that judges should not be on a police commission. I believe that represents a potential conflict of interest for judges. I am surprised the judges do not take themselves off these police commissions. I am sure they are trying to do a good job, and I am sure most of them do a good job, but I think it represents a potential conflict of interest with the police.

One day the police officers are in court as witnesses and giving testimony. The next day the commission is deciding how much their salaries should be, or whether it should take some disciplinary action because they have beards or something of that nature. I am not saying they should not take disciplinary action when they are not exercising their responsibilities under the regulations. All I am saying is that it represents a potential conflict of interest and personally I am surprised that, if the government does not have the will power to make that decision, the judges themselves do not graciously and effectively take themselves off police commissions.

An hon. member: They get paid for it.

Mr. Epp: I do not think they get paid extra. I think they did at one time, but I do not think they do now.

There is another point I want to raise that has to do with private security forces in Ontario. There is some interesting material out, which I

happened to see today, saying there are about 13,000 private security guards and so forth in the province with the majority, or about three quarters of them, being in Metropolitan Toronto. These people do not have the training, and often do not have the experience or the proper education, to do their work. These people too, although some of them are trained and some are educated and well versed in the law, have access to confidential data.

I wish the Solicitor General, since he is in the audience, would take a serious look at that problem. I intend to raise it on future occasions because it represents a potential problem for the citizens of the province. With the access they have to information and with the perception in the public mind that they are law enforcement people, I think there is a serious opportunity for abuse. It is my feeling that the Solicitor General should do a serious study into that particular aspect.

I intend, as I said, to take it up on future occasions during estimates with his ministry. I presume that would fall under his ministry, although it may also fall under the Attorney General (Mr. McMurtry). I would think—the minister is nodding his head—it would fall exclusively under the Ministry of the Solicitor General. Since he is a very accessible minister of the crown, I am sure he would be glad to look into this.

I see the Acting Speaker is there. You have lost a little hair very quickly.

The Acting Speaker (Mr. Barlow): Those of us from Waterloo must stick together.

Mr. Epp: That is right. You will appreciate my comments about the situation in Waterloo region, Mr. Speaker, because of your firsthand knowledge of the situation there or, if not firsthand, certainly a close second, like mine.

The other aspect of this report I want to speak about is police pursuit. As the members know, we have had a number of experiences in the province where the police, for one reason or another, have pursued a car. Only a few months ago, in my own region there were two people killed because somebody who was on drugs was being pursued by a police officer. He did not stop, went through a light, killed two people and that case is before the courts. As reported in the paper, that is the way it occurred. We know of other occasions where the police have pursued some people at high speeds, at great risk to the public and to anybody who is within a few hundred yards of the pursued and pursuing vehicles.

Greater instruction has to be given to and care taken by police forces in order that this be minimized or eliminated. I am not quite sure how it can be completely eliminated, but I find it difficult to understand how all these situations would have developed if greater care had been exercised. I hope the Solicitor General, in co-operation with the Attorney General, will look at this matter. It has been raised here on a number of occasions.

I want to look briefly at the report on the third agency that was studied, the Ontario Energy Board. On page 23 of the report, there is this definition of the function of the energy board and what it is supposed to do: "The board is given power to approve and fix rates and charges for the sale, transmission, distribution and storage of gas. Moreover, it can grant leave to construct transmission pipelines, production lines, distribution lines and stations, and can grant authority to expropriate land for pipelines and stations."

One thing the board can do is order a particular utility to charge only certain rates. But with respect to Ontario Hydro it cannot order the utility to charge certain rates, it can only make a recommendation. What the procedural affairs committee has done in its first recommendation, and I think this has significance, is it has said, "The Ontario Energy Board Act be amended to provide that the board have power to issue orders with respect to Ontario Hydro rate increases."

As we know, Ontario Hydro runs roughshod over the public. It tries to charge as much as it can. It has an excess of 40 per cent of the power actually required to meet the needs of the whole province and for export purposes, yet when it wants an increase it gets what it wants almost every time.

I sometimes think it uses the old ploy that if it wants eight per cent, it asks for 16; if it wants 16 per cent, it asks for 32; and if it wants 32 per cent, it asks for 64. It uses the old ploy of exaggerating its needs and then ends up with what it wants anyway. This government falls into the trap every time and gives Ontario Hydro exactly what it wants; not what it has asked for but what it wants.

Our committee felt strongly that the energy board should be able to exercise greater powers over Ontario Hydro. It should be able to firm up those increases and to order the increases kept at a particular margin or amount, as opposed to merely giving a recommendation.

I know a number of other people want to

speak to this report. I am pleased to have been able to draw the members' attention to a few of the matters and I look forward to hearing their comments.

Mr. Charlton: Mr. Speaker, I too am pleased to speak on this report from the procedural affairs committee. This is our fifth report on agencies, boards and commissions. Like the others, I will start at the beginning with the Ontario Board of Censors, since that is the one I really want to speak on anyway.

Mr. Nixon: Did you go down there for the special show?

Mr. Charlton: Yes, I went along with members from your own party.

8:40 p.m.

At any rate, members will notice that at the back of the report, on page 43, there is a dissenting opinion on the recommendations on the Ontario Board of Censors, and I would like to take a few minutes to talk about the recommendations the committee made and the reasons for the dissent.

The member for Waterloo North (Mr. Epp) mentioned in his comments, and correctly so, that the board is censoring only four per cent of the films it views. When we went to the board, our committee was taken into a screening room to view what they call out-takes, the footage that was clipped from the four per cent of films they censor. If I recall correctly—I may be out one or two—it included clips from only seven films in one year.

One of the recommendations of the committee deals with the federal Criminal Code and its definition of "obscene." One of the complaints around the question of censorship and one of the more emotional issues around which the supporters of film censorship profess the need for censorship is the question of violence, violent sex and specifically the exploitation of children in films.

Mr. Speaker, I ask you, how does clipping a piece of celluloid protect or stop the exploitation of children in films? It does not allow anybody to view the act, but it certainly does not stop the exploitation.

We attempted to deal with that exploitation and with the exploitation of violence and crime in our recommendation dealing with the federal Criminal Code and the definition of obscenity. The reality is that the only way we can effectively deal with the kinds of stupid, inhuman smut the censor board is at present clipping in that four per cent of the films it censors, is to deal with the legal question of obscenity so that we can not only eliminate this kind of material from our theatres but also, at least within our own borders and our own jurisdiction, Canada, ensure that the exploitation of the children or the actors and actresses is stopped.

It is not just the clipping of the celluloid; the act itself they are clipping is an exploitative act. It certainly is exploitative to use a young child in a sex film or in a sex and violence film; but it is more of an offence and more of a disgustingly immoral act on the part of our society to allow the child to be used in that role, and our law does not deal with that question, at least not effectively, at this point.

The reality is that if we had dealt firmly and reasonably with the question of obscenity under the Criminal Code of Canada, the seven films, the four per cent that the board censored, would never have been allowed into this country in the first place. For example, one of the seven films clipped, we were told by officials at the censor board, was a film made by Americans in Mexico. It was about a kidnapping and the death of the kidnapped victim in a very gory fashion. The victim was cut to pieces.

What we were told by the censor board officials was that not only was that film very gory, but it was very real. Charges were pending because they believed an actual murder had occurred in the making of that film. If we had dealt effectively with the obscenity definition in the Criminal Code of Canada, the Ontario censor board would never have had to deal with that film in the first place. They should not have had to deal with it because it should never have been considered for viewing anywhere in this country.

What it really boils down to is that our approach to censorship in Ontario is an avoidance of the real problem, the way things are allowed to be got away with in the film industry. It is a very small percentage of the industry—I am not trying to condemn the entire industry—a very small percentage of really strange and sick people who create the kinds of films our censor board is now censoring. There is no need for it at all, because we should be dealing with the real problem, the problem of the sickness that created the film in the first place, and the problem of our laws that allowed that kind of exploitation to occur.

The reality is that if we dealt effectively with the Criminal Code of Canada and the definitions we talked about in this report, there would be no need for censorship in the province,

which brings me back to our dissent, which basically recommended exactly what the censor board is doing with all the rest of the films, the 96 per cent it does not censor, which is to classify those films.

Our dissent goes a little further than the classification system that is being used at present, not necessarily in its strictness, but in terms of the information the classification system would provide to the viewers of films so that they would have a better idea of why they are rated in a particular category. If it is a violent film, that should be carefully set out for the viewer; if it is a sex film, that should be carefully set out.

We have all seen the newspaper advertising, and the television advertising for that matter, for films. On many occasions, the advertising by which a particular film is represented is very misleading. Quite often films that would not normally be classed as sex films are portrayed in the electronic media as very provocative and sexual in nature. That is a good selling point for the advertiser, but it misleads the public and misleads them quite badly on occasion.

The classification system should be administered in a much more careful way, not only in classifying the film but in ensuring that the advertising that represents a film publicly is an accurate reflection of the content of the film, and that the classification, as I suggested, contains a fuller description of why that film is classified in the way it is.

It is our opinion that if we went that route and dealt firmly with the questions around the Criminal Code and the exclusions that should be very heavily put in place there, we would have absolutely no need for censorship in this province. Then there would be no further questions about the moral judgement of a member on the Ontario censor board.

We would have no more fiascos like the one three or four years ago, which caused a major public debate and which not only created a huge furore here but also sent Ontarians scurrying across the closest border, whether it happened to be Michigan, New York or Quebec, to see the film they could not see at home, which is just as ludicrous as the kinds of discussions we are having about the seven films that were cut—films that never should have been considered for public display in this province. The chairman of the committee, who saw that film of out-takes, will agree that any one of those films would have been classified as obscene under any decent definition of obscenity and that there would have been no question at all in terms of censorship.

8:50 p.m.

It is our opinion that that route is the sane and logical approach, not only to deal with the question of obscenity but also to try to get at the root of the problem, at least in the Canadian film industry, to ensure that the kind of exploitation we are now clipping out of films is clipped out of the production studios altogether, at least in this country. We cannot preclude that kind of film-making in the United States, in Mexico or anywhere else, but we can certainly ensure that it does not happen here and that our women and our children are not exploited in the way those films represented and with the kinds of exploitation with which they were degraded.

The Ontario Police Commission was the second agency we reviewed. I will not go through all the recommendations we made on the commission, but there were several. The first was that the OPC should make its inspections of the province's local police forces and the Ontario Provincial Police mandatory on an annual basis and that any recommendations resulting from such inspections should be made public.

It was our opinion in the procedural affairs committee that the operations of the municipal and regional police forces across the province and of the OPP are, by and large, good operations, and that the policemen of this province are good, honest citizens who in many cases take upon themselves risks that no other citizens take.

On the other hand, we all know, whether it be here in Metropolitan Toronto, in the OPP or in one of our own local police forces, that from time to time there are problems. We read about those smears on our law enforcement officers because the media tend to play them up with much bigger headlines, much bigger stories and a lot more pictures than the commendations that the good officers get. I guess that is true with every kind of news we read about.

It was our feeling that if the Ontario Police Commission were doing regular, ongoing inspections of the police forces in this province, and if it were finding problems and making those problems public, it would go a long way to eliminating the kind of semi-mistrust that exists in terms of some of the stories that have come out about different activities by some of our police forces. It would also go a long way to eliminating those few real problems that do exist, simply because there would be an inde-

pendent body, unaffected by local circumstance and local reputation, going in and looking at the operations of a particular police force.

It was also our feeling—and this was the second recommendation related to the police commission—that it was very necessary that we should set up a system of training of all police officers in the province and that training should be compulsory. Acquiring that training and passing the course should be compulsory before officers are hired on a permanent basis. That is not to say the officers cannot be hired as probationary employees and put into training, but the passing of the course should be a compulsory requirement before they become full-fledged constables out there on their own, with guns on their hips, billy sticks and the ability to do damage and cause the problems that most do not, but a few have.

The reason for this recommendation was some of the comments we got from the authorities at the Ontario Police Commission when they talked to us about some of the serious problems in some of the more remote and smaller rural communities in Ontario where there are only two, three or perhaps half a dozen police officers who had virtually no training at all. Those who had received training got most of it after the fact, and in some cases perhaps as long as 10, 12 or 15 years after they became police officers.

First of all, it was our feeling that by creating a compulsory and very tight course—we talk in one of our other recommendations about a university accreditation system in that course; we are talking about a very high-calibre course—by setting up a good course and creating a compulsory system, we could eliminate the rest of the minor problems. Nothing is ever going to reach perfection, but it might eliminate those few bad apples who seem to get through the system now and who sometimes cause the reputations of one or the other of our police forces in this province to suffer considerably.

We also dealt with the question of citizen complaint procedures, and I think there was a fairly strong feeling on the committee that it was a very necessary area to consider.

We have the act in place here in Metro. The procedure we have suggested for the rest of the province is not necessarily identical to the Metro model, but we feel it is very necessary that a formal police complaint procedure be set up in every jurisdiction in this province, everywhere where there is a police force or a police commission. That citizen complaint procedure should be advertised publicly on a fairly regular basis so that people in the community will know to whom they have to go and where they can find that person or persons.

We also recommended that the Ontario Police Commission be the final body of appeal on citizens' complaints, because they are an independent body and out of the local circumstance and whatever conflicts of interest there may be in an investigation of a complaint in the local circumstance. We felt they should be not only the final body, but the only body as well; a second-step appeal after going to the local police commission or the local chief if there happens to be no local police commission.

In my opinion, those were the major recommendations on the police commission. There are several others which I will not take the time of the House to go through right now, because I know other members wish to speak this evening.

I will move on to the Toronto Area Transit Operating Authority. Most of the discussion we had about that authority revolved around GO Transit. We did not particularly get into policy discussion in terms of new areas of endeavour, with the exception of the extension of some of the existing services to a number of communities. I think they were the basic and most useful recommendations we made, although I guess we could point the minister to the recommendation regarding a rate structure that more closely reflected the 65-35 ratio.

9 p.m.

In relation to the recommendation which the chairman very rightly pointed out that this committee had made, I suppose while the minister is here in the House that we would like to thank him in some way for his quickness in responding to the recommendation that full services be extended to Hamilton and Oshawa. We are not all totally happy with the time frames that are involved, but certainly the commitment is there on the part of the Minister of Transportation and Communications (Mr. Snow) to have those services in place eventually.

Personally, since the relationship between GO Transit, the Canadian National Railways and the Canadian Pacific Railway did not seem capable of facilitating track time in the case of Oshawa and Hamilton, I am glad the minister has taken the approach he has taken to ensure that service will go in even though CNR did not appear capable of accommodating the needs.

A number of members have commented positively and negatively about the proposals which the minister announced several weeks ago. As I suggested, there are some of us who are a little unhappy about the time frames involved, simply because it is our view that we already have a serious problem in place on Highway 401 between Oshawa and Toronto and on the Queen Elizabeth Way between Hamilton and Toronto.

There are those of us who would like very much to be able to use the convenience of GO Transit to get from the city of Hamilton to the city of Toronto and our duties here at the Legislature. It would be much more convenient than driving our cars. The minister well knows that the GO service that exists now on the buses is no more efficient than my car, and in many cases is less efficient, because those poor buses have to sit out in the same traffic jams that I have to sit out in. In addition to that, there are loading and unloading times, getting to the bus terminals and getting to the Legislature after arriving in Toronto.

We certainly would like to see the minister's proposals put in place as quickly as possible and if there are any ways of speeding up the timetable which the minister has suggested, we certainly would not be averse to that, although I repeat that we are very happy to see the commitment to serve the needs that already exist for public transit between Hamilton and Toronto and between Oshawa and Toronto.

There are other commuter transit problems in the Toronto region which still have to be dealt with, and I am sure the minister will take note of the other recommendations we have made here about Barrie, Uxbridge and other places.

I will move on to the Ontario Energy Board and I will be brief in my comments as well. Again, I am not going to go through all the recommendations that are here. The honourable members can look through the recommendations and assess them as they will.

There are a couple of recommendations, though, that I think are very key and very important, one being the recommendation to which the member for Waterloo North (Mr. Epp) spoke. This was the question of giving the Ontario Energy Board the power under the Ontario Energy Board Act to issue orders and to set rates for Ontario Hydro, a power it does not now have. It has that power for Union Gas and for Consumers' Gas but it does not have that power for Ontario Hydro.

The Minister of Energy (Mr. Welch) is not with us tonight, Mr. Speaker, but I am sure you will bring this to his attention for me. It was the unanimous feeling of the committee, the government members of the committee, Liberal members and members of this party—the member for Oshawa (Mr. Breaugh) and myself—that it was absolutely necessary and essential that this recommendation be carried through.

The chairman, who is now sitting with the Minister of Transportation and Communications, will concur that this was probably the single most talked about recommendation that the committee made in this entire report and it it was probably the most firmly felt conviction by the entire committee. The recommendation is that the Ontario Energy Board has to be given the authority to set, to roll back, to control the rates of Ontario Hydro, which it does not now have the power to do.

All it can do now is to say to the Minister of Energy: "We do not think they really need that much. Maybe you could have a look at it." That is not good enough. If they are competent to control Union Gas, Consumers' Gas and those other private sector companies they deal with, certainly they should be competent as a public regulatory body to regulate fully another public crown corporation.

Regarding the Ontario Energy Board, that was the only recommendation I particularly wanted to deal with because it is the most important recommendation we made about the Ontario Energy Board. There are a number of other comments in our report—and I will not get into all of them again—about recommendations from the previous report of the procedural affairs committee on agencies, boards and commissions where it deals with ministerial responses to our recommendations from that previous report.

One that I want to raise is the recommendation about the Ontario Racing Commission. It was from our fourth report. They had recommended that the Ontario Racing Commission institute a thorough and complete check of all job applicants who will have direct access to horses and drivers prior to a race before issuing a licence to the applicant. This has to do with trainers, grooms and so on who work around the racetrack.

The background behind this recommendation dealt with the problem they have had around racetracks with gamblers and criminals getting involved and administering drugs to

horses, getting involved in illegal betting practices and so on and so forth. In fact, in some cases there has been plain out-and-out stealing of money.

At any rate, we recommended that the commission set up and do a very thorough check of all job applicants before they are allowed to take a job. The situation they have is that somebody comes in and applies for a job, they hire him and they do a check which takes two or three weeks. By the time they find out this guy is a rotten apple, he has already taken off with a whole case of apples and is long since gone. We recommend a prejudgement system.

The minister indicated that while the procedures currently in use are satisfactory, the Ontario Racing Commission will pursue the matter further. I cannot accept those comments from the minister, because it was the racing commission that brought the problem to our attention in the first place.

How can the minister tell us, the procedural affairs committee, that the present procedure is satisfactory when the racing commission itself does not believe the present system is satisfactory or else it would never have raised the problem with us?

"In light of the recommendations of the committee, however, the commission has requested the administration to explore methods by which licensing information and its authenticity can be verified on a more expedient basis." That is where we get to the real crux of the problem: time.

9:10 p.m.

If the Ontario Racing Commission needs a better system of identifying problem people and verifying that information, it is the responsibility of this government to see that it has the funding to run its operation properly. We have thousands of Ontario citizens going to racetracks regularly in this province, wagering their money, and in many cases their hard-earned money, but we do not have an adequate system in place to prevent known criminal elements from doing that.

Certainly there is never going to be an effective way of eliminating the new or first-time criminal. We are not going to be able to identify him. We understand that. But we do not even have a system in place that can prevent known criminals from infiltrating racetracks, here one day and over there the next day, ripping off substanial sums of money from both the government—because it gets a substantial tax rake from the commission—and the commission itself as well as the people who frequent the racetracks. Some of the scams pulled off in the past have been fairly substantial.

What I am saying is that the answer we have gotten from the minister is totally inadequate. If the racing commission is going to continue to operate and run races where betting occurs, and if the government of this province is going to continue to make very substantial sums of money from that practice, then this government has a responsibility to provide it with whatever facilities it needs to eliminate at least the known criminal elements from an ability to exploit on a short-term and quick basis the operations of racetracks, horses, jockeys and so on.

That was the one recommendation from our last report which I wanted to raise because I felt the minister's response was totally and completely inadequate.

I will wrap up by saying that, on the whole, it is my feeling the recommendations we have made in this committee report are very good and worth while, with the exception I mentioned at the outset, that of the recommendations on the Ontario Board of Censors.

I commend these recommendations to the members of the House and to the ministers affected. I will await the response of the ministers to those recommendations.

Hon. Mr. Snow: Mr. Speaker, I am pleased to have the opportunity to make a few comments this evening on the report of May 11, 1982, from the standing committee on procedural affairs. I wish to deal basically with the comments and recommendations in the report dealing with the Toronto Area Transit Operating Authority and the recommendations regarding GO Transit.

When I look at this report and review it, I think the report was being written at approximately the time my officials, myself and the government were giving serious consideration to a number of matters relating to GO Transit. If I did not know better, I would almost think my colleague the chairman of the committee must have had some inside information and read his horoscope properly that morning, because most of the recommendations made here are almost totally parallel to concerns which I had and which we have since dealt with.

The first recommendation relates to the ministry or the Toronto Area Transit Operating Authority reopening negotiations with the Canadian National Railway. That is a little easier said than done. We have a 10-year contract, our second 10-year contract as a matter of fact, with CNR. I have to agree with the comment of the committee that the rights of way of the CNR—

and I would perhaps even have to go beyond that to include the Canadian Pacific Railway as well—have, in one way or another, been paid by the public over the years. I am not saying that TATOA or any transit authority should have the right to use those rights of way without some consideration being given to the railroads. That would not be right. But in the negotiations we have had over the years, it has seemed that the negotiations were somewhat one-sided, because the railways do have a monopoly over those rights of way.

We were not in a strong bargaining position, although we did bargain very strenuously. That went on for some time. We certainly ended up with a much better arrangement than we started out with, or than what was asked by the railroads. The first contract with the CNR, which was entered into in 1967 at a time when the CNR wanted very badly to get out of rail commuter service, was a better contract financially than the most recent one. Once we were into the service for 10 years we were somewhat of a captive customer. But, with all due respect, we did have tough negotiations with the railroad. Finally, I was involved myself with the presidents of the CNR and CPR in both agreements. Although the agreements are not everything they perhaps should be, and I feel we are paying very well for the services we get, I do think we ended up with a fairly good agreement.

One of the comments was that TATOA made sure its services, particularly bus services serving the inter-regional routes, did not parallel, interfere with or duplicate the routes of municipalities. This is one thing we have been very careful to do. We worked on it very closely. In fact, with the change in the TATOA legislation of a year or so ago, the ministry is now responsible for the planning and co-ordinating of GO Transit inter-regional services. TATOA is mainly the operator of those services, and the ministry very carefully co-ordinates services.

We subsidize both the municipal services and inter-regional services. Therefore, we want to make sure there are no duplications. I can name many instances, in Mississauga and Brampton, where changes have been made to the services so that there would be no duplication. On the routes we have in Markham, Vaughan, Richmond Hill and Newmarket, TATOA, the ministry and local transit authorities work very closely together in co-ordinating those services.

I was interested in the comment regarding fares where the committee recommends that the authority should implement a fare rate that would come closer to the 65-35 ratio. Over the years we have been trying very hard to get to that cost-revenue ratio, but each year, when we seem to get a little closer, inflation takes over, the price of fuel skyrockets, and the national energy policy gets involved. What we gained on the cost-revenue ratio slips through our fingers and we are still below that ratio. But that is the ratio that has been set by the Management Board of Cabinet. With the present controlled prices, I am afraid if we keep our fare increase next year to something in the neighbourhood of five per cent, or slightly above, so that it meets the guidelines of the government, which I assure members it will, we are not going to get closer to that cost-revenue ratio in that particular year.

9:20 p.m.

The fourth recommendation is that the Ministry of Transportation and Communications should initiate the extension of commuter services to Oshawa in the east and to Hamilton in the west. A few weeks ago after completing all of our studies I was able to make the announcement that we are planning to do exactly that.

In the very near future I hope to be able to announce the next steps in the implementation of that program: The establishment of the technical liaison committees with the municipalities and the local transit authorities, and the appointment of the necessary consultants in order to get ahead with the design on those two phases. In the not too distant future we hope to start actual construction on those extensions.

The last recommendation relates to the GO rail service to Barrie and Uxbridge. On September 7, we implemented new GO rail services to Bradford on the Barrie line, to Stouffville—

Mr. Nixon: We're listening, we're listening.

Hon. Mr. Snow: It doesn't sound like it.

Mr. Conway: Some of us remember late Tuesday night.

Hon. Mr. Snow: Late Tuesday night?

Mr. Conway: If you don't remember, we might imagine why.

Mr. Kerr: It was Lorne Henderson's birthday party, remember?

Hon. Mr. Snow: He was a year older on Tuesday night. Unfortunately, we never have a party on my birthday because it is on July 12 and the House has never sat on the 12th.

Mr. Nixon: The glorious 12th. Now we know why it is called the glorious 12th.

Hon. Mr. Ashe: You nearly made it last time, Jim.

Hon. Mr. Snow: Yes, we almost made it last time. I thought we were going to.

As I mentioned, these two recommendations were implemented on September 7.

I would like to congratulate the committee on its excellent recommendations, all of which I have been able to accept. They have been implemented or are in the process of being implemented. We thank the chairman and the members of the committee for their input and recommendations regarding the Toronto Area Transit Operating Authority.

Mr. Nixon: Mr. Speaker, I, too, want to congratulate the committee on its report. It is a very useful one. I even like the minority report on film censorship, although I see that the members of the New Democratic Party who were speaking to it are no longer present.

Mr. Breaugh: The member's eyes have gone as well as his mind.

Mr. Nixon: The member did not speak to this.

The Acting Speaker (Mr. Allen): Rather belatedly, I recognize the member for Brant-Oxford-Norfolk.

Mr. Nixon: Oh. Okay, fine. Thank you.

I understand the procedural affairs committee attended the censor board and had the opportunity to see all the parts of the censored movies that were clipped out and strung together for this special movie. For many years the censor board and the minister responsible for it have denied this movie ever existed.

I know, Mr. Speaker, with your special background, that you will be as shocked about this as I am. This sort of thing comes into the province, is subject to censorship and then is left around to prove to the members of the procedural affairs committee what a good job the censor board is doing.

I personally would like to see the procedural affairs committee stick to their knitting. By that I mean I wish they would deal with procedural affairs matters and use their undoubted persuasive powers to see that the House responds to their recommendations.

While I have already said that I agree with the Minister of Transportation and Communications (Mr. Snow) in commending the committee for this excellent report—a lot of good work and good writing has gone into it—still the House has not really had the benefit of the recommendations from the committee on procedural affairs.

I have often felt we should never have done away with the privileges and elections committee which by tradition was always a part of any democratic House in the British tradition. It was not often a busy committee, but it was one to which many matters which arose in the House could be referred that could not be dealt with by the House as a whole.

Controverted elections were obviously in the grand tradition of what the committee dealt with. With your erudition, Mr. Speaker, I am sure you are aware that in the early years of our history after each election those committees would spend many months pondering over the evidence in controverted elections. We do not have that much any more and our elections are well administered with few, if any, questions about the validity of the elections as they occur.

When it comes to the rules of this House, in my view this is a matter which does require more direct and continuing attention. There is no way we will ever have a set of rules that suits everyone. Also, the requirements of the House change as the months and years go by. It is now a main responsibility of the procedural affairs committee at least to see that recommendations are before the House which the House can deal with if it chooses.

We should not dilute the importance of the procedural matters the committee has as its prime function by giving it the duty to deal with all the agencies, boards and commissions that are part of the government of Ontario. I feel that quite strongly and thought I should say so.

I must agree with those members who put in a minority report indicating we could do without a board of censorship if the board only had a classification function. As far as I am concerned, I am not even sure the classification function is imperative, although I bow to the wisdom of those who have had an opportunity to view the censored films in this regard.

I have always felt the Criminal Code of Canada is such that, if there is some pornographic movie, the police have the responsibility to charge the operator, close it down and let the courts decide what is proper. In that connection, there are obviously difficulties but, in my view, it would be a better way to proceed. I have a great antipathy to any government deciding through any board of censors what people will see or read as long as the Criminal Code of the nation is not transgressed.

I was interested in the argument made by the member for Hamilton Mountain (Mr. Charlton) about the inadequacies of the Criminal Code. The committee itself points out that in its view the definition of obscenity is not clear enough.

Also, the involvement of children in these matters is not properly proscribed by the Criminal Code, although I recall reading probably less than a year ago that the Minister of Justice had brought forward certain amendments which would have expanded that definition in a way similar to that which had been recommended by the committee itself.

I want to commend the committee for its diligence in pursuing this matter. I feel its recommendations are very useful.

I briefly want to say something about the Ontario Police Commission. I feel the government of Ontario through the police commission might take significant steps in urging municipalities to employ more people as police officers representing minorities of all kinds, but particularly visible minorities. I do not live in the city of Toronto but I keep up with events here as reported as closely as I can—

9:30 p.m.

Mr. Conway: You don't chat with Uncle Phil?

Mr. Nixon: I notice Uncle Phil going downtown in his limousine, as I drive my Citation up University Avenue, since my honourable friend has raised the matter.

I, for one, have a great deal of confidence in the chairman of the Metropolitan Board of Police Commissioners. But we are talking about the Ontario Police Commission, and the leadership it might very well give to all municipalities, including Toronto, in employing a higher proportion of minorities as police officers. Certainly, the goal ought to be to achieve at least a similar mix in the police force to that which the community itself has as its population changes.

Metropolitan Toronto has to be one of the most cosmopolitan cities on earth, and I personally believe this is a tremendous advantage to us. I find the city an extremely vibrant one with many things to recommend it to visitors from around the world. All of us are proud of what has been accomplished here. One of the nagging things, as far as I am concerned, is the continuing reports of the inadequacies in the Toronto and metropolitan forces to meet the needs of a community that has changed so dramatically in the last decade, and continues to change in its ethnic and cultural makeup.

I would like to take time to cite chapter and verse, but I have referred in the House before to the events surrounding the killing of a resident of Toronto, Mr. Johnson. When was that, three years ago? Was the member for Burlington South (Mr. Kerr) Solicitor General then? It happened right after he was Solicitor General. I believe the account I read was in a magazine, Toronto Life, which, frankly, I recommend to all honourable members if they want to keep up with interesting things in this city.

Mr. Conway: Even Larry Grossman's career, I hear.

Mr. Nixon: Yes, there is an article about the Minister of Health's digestive problems, but I do not want to digress.

Since the Minister of Transportation and Communications (Mr. Snow) is present, I would mention there is an article this month saying the Spadina Expressway must be built. I thought perhaps he would like to read that since his predecessor was the person who undertook to sign the agreement with Toronto to build the Spadina Expressway.

Back to the point: I really regret very much having gone on a digression myself, because the article in Toronto Life about the circumstances pertaining to the death of Mr. Johnson at the hands of two police officers is enough to indicate that there ought to have been a much more substantial review of minority representation in the police force. If so many people in this city, blacks, and many others groups I hasten to say, not only feel they do not have confidence in the police force, but really have an antipathy which, for most of us, is strange and alien, that is an indication of how out of touch the police authorities are, in certain circumstances, with some representatives of our people.

The last point I want to mention, and I regret passing over Toronto Area Transit Operating Authority—but I hesitate to pass over that with the minister himself here. I have always been impressed, even, with GO Transit, that tremendous idea that came forward in the election of 1967 as a political front and that has grown into something useful. I remember the day after the late, lamented Premier Robarts announced it. There were billboards all over this province recommending the government of Ontario transportation facility, GO Transit. Boy, I am telling you, that was one tough election; however, that is another diversion.

We have been paying enormous subsidies amounting to $3 per ticket for everybody who has ridden it since that time, so there is quite a commitment in dollars from those of us who work our fingers to the bone in the farming lands of this province and have little or no opportunity to ride those doubledecker cars that the minister is so proud of. Every time anybody buys a ticket for that, the taxpayers in

general are kicking in about $3 so they can ride in comfort while we are trapped driving a plough back and forth across the cornfields this time of year.

Well, I guess I do not object; because for many years the farmers have helped the urban dwellers, and we will continue to do so. Fortunately, the government of Canada is giving us excellent train service from Brantford on the occasions when we want to come in to the provincial capital by rail.

The energy board is the last point I want to mention briefly. The recommendation there is an excellent one. I am very impressed indeed, particularly that the government representatives on the procedural affairs committee have called for the energy board to be given the power not to recommend but to impose a rate structure for Ontario Hydro. What could be fairer and more just than that, since poor Darcy McKeough, chairman of Union Gas, has to come to the energy board and with supplication—

Hon. Mr. Snow: Cap in hand.

Mr. Nixon: Cap in hand, the very phrase—argue for a rate structure that will enable the company to pay him his small salary, and the other members and stockholders of Union Gas, which has a monopoly in my part of the country and which has just put in for a very large, additional rate increase.

In this connection I was interested that in this most recent rate increase they are asking for a basic improvement in their profit position, which really astounds me. I would think the government of Ontario would appear before the energy board to opposed such a situation.

But when Hydro appears before the energy board, it comes with its panoply of lawyers paid for on the basis of power at cost. My good friend, a friend of all of us, Pierre Genest, who has to be one of the smartest lawyers anywhere but who does not work for peanuts, comes floating in to the hearings with the most powerful arguments in favour of extremely high increases in hydro rates. The Ontario Energy Board has to hire somebody who is out, cap in hand again, looking for a brief. Bob Macaulay, I think, appeared in that connection on one occasion.

In some respects it really is the battle of the Titans. The information and the briefs are exchanged, and the energy board makes a finding. But unlike poor Darcy McKeough, who has to take the energy board as his command and must do business after that point at the rate dictated to him, as he very properly should in the case of a monopoly, Ontario Hydro listens to it, goes back home and cogitates; the chairman has lunch with the Premier (Mr. Davis), and then they decide what the rate is going to be. Sometimes it is a little higher than the energy board recommendation, sometimes it is a little lower; but it is never the same, because Ontario Hydro would never deign to give any public indication that the energy board was correct in its findings.

I was interested that in the resources development committee on Tuesday night, both the chairman and president of Ontario Hydro were present to respond to questions and comments from the members of the Legislature. This point was made there very effectively by my colleague the member for Halton-Burlington (Mr. J. A. Reed), and the chairman of Hydro was very proud of the fact that they did not have to follow the direction or the imposition of an order from the energy board at all. The justification, of course, was in the Ontario Energy Corporation Act, where the power is given to the board of Ontario Hydro to set the rate without any dictation from outside.

So the recommendation of this committee, once again supported and perhaps even initiated by the Conservative members on the committee, certainly ought to be read and followed by the members of the ministry. If there some of them are here—I guess there are two or three of them—I hope they will take the message back to their colleagues and see that the government acts accordingly.

Actually, I am not holding my breath in this connection, because I do not think they are going to. The former Solicitor General, the member for Burlington South, just hit his fist on his desk, as he was wont to in previous years, when he said in one of the greatest speeches I ever heard in this House, "As long as I am minister, the polluter will pay." He hit his desk and almost split the top.

9:40 p.m.

I can only assume, since he is paying such careful attention and hit his desk with his fist again, that although he did not interject in words his meaning is clear: as a senior Conservative, one highly respected by his colleagues at the present time, he is going to take his undoubted position of importance and use it to persuade his colleagues to bring Ontario Hydro under the direction and control of the Ontario Energy Board without any further embarrassing delay.

Mr. Breaugh: Mr. Speaker, I want to make

some general remarks before I get into the main part of the report and say that the House some time ago decided that a committee of the Legislature should take on this review responsibility.

I would concur with the member for Brant-Oxford-Norfolk that it is a bit unusual to have a procedural affairs committee do such a review. None the less, the House decided it should do it and to date it has reported to the House on 34 agencies, which is a rather small percentage of the 100 or so that are out there. However, the committee is at the point where it has had an opportunity to review at least most types of agencies that are functioning in Ontario, and has been able to present to the House committee reports and reviews on a good cross-section of them.

The standing committee on procedural affairs has done something unique in this Legislature. It has been able in many ways to set aside a lot of the partisan nature of the process. I think members from all three parties who have served on this committee have had an opportunity to do something which was useful and which called upon them to be good members of the Legislature rather than just good members of a political party.

I for one advocate more such opportunities for this Legislature to provide situations where a member can go and do a job, which is what has been asked of the procedural affairs committee on those occasions when it has reviewed an agency.

Although I sense it is diminishing somewhat in the last little while, in the main the members of the committee from all parties have done just that. They have said, "Here is an agency and we would really like to find out what this agency does and whether it does it effectively, and we would like to bring to that review"—I suppose it is inevitable—"a little political perspective." But in the main they have stuck to the task at hand and there was very little of government members defending the faith. Generally, they were prepared to take a look at the operation of the agency and that is what it is all about.

In my view, that is in no small part due to the work of John Eichmanis and the people who have researched and co-ordinated the review of the agency. It helps to begin the process of reviewing an agency with a report which commands a little respect from all members of the committee. John has managed to do that for us for a number of years. As a research officer of this Legislature he has developed reports on a wide variety of agencies and has put those in front of the committee and we have all seen them as fair. They point out areas where there have been problems, do not cover up anything and are not particularly negative but try to give the committee, as a starting point, a balanced perspective on the work of that agency.

I would like to see more committee work along this line, where members go in with a clearly defined task and attempt to do something like a review of the workings of an agency, with a research person to assist in carrying out that job by generating a sort of framework. It is not all-inclusive by any means, but it does give us a bit of scope and some kind of context in which to conduct the review.

I have served on this committee since its inception and have always felt it a little ironical that I am not terribly happy having the procedural affairs committee do that sort of work. None the less, I have to admit that for practical purposes this committee on five separate occasions, and there are more to come, has managed to go through this reviewing process in a way that struck me as both useful to the members of the committee, to this Legislature as a whole and, in fact, though I rue it somewhat, to the government of Ontario, because it provides the kind of public examination that we have not had at all in Ontario before the work of this committee. Until this committee began its review of agencies, the only review, if there was any at all, was done internally and privately by the government.

So the work of the committee has been useful, and I am pleased to see there have been some cabinet ministers in attendance tonight when we were debating the report. This is a good sign, because one of the things that strikes me as being useful is that, in addition to reviewing a certain set of agencies at any given time, the committee has endeavoured to keep track of what has happened to previous recommendations.

Although there is no startling change in the work of the agencies out there, I feel reasonably confident that in a number of ways, sometimes directly and sometimes obliquely, the agencies are responding to the concept that a legislative committee may review the work they do. We have attempted to keep track of what has happened to the last recommendations about the racing commission or whoever, and there is some tracking of the system. So there is not just a criticism of whether an agency does a job or does not do a job and then it is put away on the

shelf and nothing about it ever sees the light of day again.

There has been some consistency. There has been a response in most instances from all of the ministries that are related to any of the agencies we have ever reviewed, and the presence of ministers of the crown in here tonight, some of whom will participate in the debate, is a good sign. If I have a mild criticism to offer of the process it is that this ought to be heightened, there ought to be more of a direct response from the agencies and ministries responsible. I am happy to say that there is a response, that we are not just making recommendations that are lost forever, that there is a bit of continuity there; and that is a good sign.

I want to speak very briefly to the agencies that are covered in this review, because in this one in particular I thought the committee had an opportunity to review a smaller number of agencies but to do so in somewhat more depth than has been possible previously.

The first one is the Ontario Board of Censors. There were some divisions of opinion in the committee, which did split roughly along party lines but not exactly. I sensed that there was a bit of consensus developing there, even among people we spoke with at the censor board, that the vast majority of their time and really the main direction of their task is not censorship at all but classification. I believe there is a rational argument for having a group of people inform the public, by developing a classification system, just exactly what kind of movie they might see.

As the committee went through its deliberations on this one we also became aware of all sorts of little ironies. I guess the prime one is that, for purposes of the public showing of a motion picture, the Ontario Board of Censors is in that business hot and heavy and is sometimes the centre of great controversy as it attempts to determine what is acceptable to the public and what is not; yet while all of this controversy rages about the public showing of any movie, that same movie can be shown uncut to what I would call a public gathering. That is to say, if we rent a hall and get a copy of this film, we can get a licence to show it, but we could not show it in a motion picture theatre that charged admission.

More than that, these days if anybody had sufficient money and the proper equipment, we could probably drop in to any one of the little stores on Yonge Street and in any community in Ontario and get the same thing on a video cassette, all of which falls outside the purview of the censor board.

More than that, any member on his way home tonight could stop in to a corner milk store and buy a magazine that is just as pornographic and just as obscene as anything that anybody could put on film. So there is an irony at work here. The view of the censor board as being something that protects the morality of the people of Ontario has been a little overshadowed by modern technology.

Whereas 20 years ago I suppose the only place a dirty movie could be seen was at the movie theatre, now one can buy the book at a corner milk store, get a video cassette at another shop around the corner, or stay in any of the downtown hotels and see films which would probably not be allowed in a movie theatre. In a real sense, the concept of a censor board is a little archaic. It does not quite cover the field as it once did.

9:50 p.m.

More important, I believe the purpose of the board as a classification system is useful. One of the members of the committee said he stumbled into some kind of R-rated film, but it is difficult to conceive how one could stumble into an R-rated film. It is noted on the advertising and supposedly people selling tickets at the box office will stop children from going in. It may not work all the time, but it is supposed to. Only about four per cent of their time, they say, is spent on actual censorship.

One of the things we noted in the report, and which becomes more and more obvious as our culture changes, is it is now tough to define obscenity in a traditional sense. The motion pictures being produced now often lend themselves more to violence than sexual obscenity. The definition of obscenity is changing. The mores of our society are changing. It is tough to say, as perhaps one once could, that a little group of four or six people or, as is being proposed, a larger group of 25 or 30 people can sit down and adequately represent what this society thinks is okay for public viewing and what it thinks is not.

I put in a dissenting opinion on this matter along with the member for Hamilton Mountain (Mr. Charlton). We have a bit of a problem here. All of us were impressed by a couple of things we saw at the censor board, one of which was a group of people trying to do what is more and more becoming an impossible job—judging the mores of our society. They admitted that was less and less of what they do. The vast majority

of their work, 96 per cent, was not that at all but was classifying films.

We thought, and I believe, the concept of censorship as it is expressed by the Ontario Board of Censors is one which is no longer really relevant to Canadian society. It does not stop the showing of dirty movies. If that is the purpose of the exercise, they have been outleaked, so to speak, by technology. If it is to stop the putting together of offensive materials, there is a bit of a problem with that as well.

If I might go to the parts of the committee report I think are sensible, and in a sense all of it goes to what the problems really are and all of it is fairly common sense stuff, I think we discovered that the concept of what is obscene in the Criminal Code of Canada is wrong. It needs to be viewed in a slightly different light taking into account that there is a great deal of abuse of children and women, and an abuse of violence as a technique for movie-making. All that stuff is a matter which ought to be considered in the Criminal Code itself.

I am an advocate of the concept that it is my right in a free society to censor. I censor by not paying to go see a movie or purchase a book. That is the only kind of censorship I find supportable. Anything which pretends to say a small group of people, or for that matter even a large group, has an ability to make that judgement for me is quite wrong and is not a supportable notion.

I find my version of what is obscene—if I can use that old-fashioned word—has changed substantially. Some of the things we saw when we went to visit the people at the censor board, the out-takes as they are called, I found to be a little nauseous and rank. Most were things I would not pay to see.

I would appreciate it if the censor board or classification board told me that kind of stuff was in the film so I would not waste my money on it, but I do not think I can support the notion that there is a group of people, whether they get paid by this government or not, who sit up there clipping little parts out of films. That is a waste of time and money. I do not think it accomplishes the original purpose.

It might have been possible 20 years ago to do that, but it is defeated by the technology of video cassettes or by the widespread distribution of what most members would call pornographic literature in stores all over. I believe there is an overwhelming argument to be made for saying one retains this group of people or this concept as a classification system. I think that is useful.

There is also something else to be considered. As long as the province uses this concept to censor films only and nothing else, I think what it is doing—provided that the changes in the Criminal Code occur that I hope will occur—is protecting those people who make money by exploiting women or children or violence or anything else. As long as the film board clips out portions of motion pictures which are obscene by that slightly broader definition in the Criminal Code I referred to earlier, it is protecting those people from prosecution.

I would much prefer to see the province take on the kind of thing that is done in Manitoba, for example. Their concept of a classification system is basically classification according to who might be interested in this kind of movie. They point out areas in the motion pictures that might be offensive to people and red-flag those areas where they think violation of the Criminal Code is involved.

I believe people who are making a fast buck from exploiting women or kids or violence in motion pictures ought to be held culpable and prosecuted under the Criminal Code of Canada. I do not want to see them protected by any censor board. If they are breaking the law, then I think it is a fairly simple thing. We have a justice system to deal with that. If they are not breaking the law, they should leave it alone.

The role of a censor in a modern society is mine alone. It is not shared by anybody else. It is my judgement and my dollar which goes into that kind of entertainment and, to paraphrase a popular slogan in the government of Ontario, I am my own censor board. Nobody else can be, nobody else should be, and although I have changing ideas of what I am prepared to put my entertainment dollar into—I have changed some of my thoughts about that—I cannot sustain this concept of a group of people, small or large, clipping little parts out of movies or deciding that some are obscene and cannot be shown in Ontario unless they want to show it in a setting other than the traditional motion picture theatre.

This is what I find particularly offensive. If I can get this into a little more artsy forum, what is obscene is okay. If I rent a room at the Art Gallery of Ontario and invite selected friends to see a motion picture like Pretty Baby or the Tin Drum or whatever, that is okay, but the rest of the public cannot do that. That suggests to me that the government is perpetuating a kind of two-level system: those who are somehow more

intellectual than others and who can handle the stuff and the population at large, who cannot.

I had some difficulties with the recomendations which the committee made surrounding the work of the censor board. By and large, I do not have a number of problems there because much of what they proposed was fairly sensible and goes in part measure; it just does not go far enough. I believe we have to change our attitudes and we have to change the work which is carried on by the censor board.

I want to say one other thing which is not a major piece of business and I admit it. In general, I was pleased with the censor board's discussions with the committee, but I do want to put on the record one litle objection. When we talked to people at the board, I was impressed that there was a group of people who were trying to do a job. I am always impressed by people who are diligent in their work and believe in what they do. That part of it was okay.

The part that I object to and want to put on the record is the bit about seeing the out-takes. I was not terribly impressed with the out-takes. As artistic work, they are the pits. What did strike me after the kind of initial shock of some of the things I saw had worn off, was very simply that the censor board had used a very neat little gimmick on the committee, designed very carefully to shock the committee and I suppose to make members on the committee who might have been a little uncertain about the work of the censor board say, "We really need to have a censor board because we cannot have that kind of awful outlandish stuff on the screens in Ontario." In a sense, I feel the committee was exploited slightly. I know other members on the committee were a little more taken aback by what they saw than I was, but I did feel that was a little unfair shot at work.

By and large, that is most of what I have to say about the work of the censor board. In summary, I do not think they are bad people. They are trying to do an impossible job and a job which does not need to be done any more. The committee did suggest a number of ways in which that could change. I am suggesting in my dissenting opinion that it ought to change even further.

10 p.m.

I want to say a few words about the review of the Ontario Police Commission. This is a good example of an agency that has not been the subject of à great deal of controversy. But in a number of ways, day-by-day issues in the Legislature are directly affected by the work of the police commission, and a number of things that have been said in here about high-speed chases and the use of firearms by police officers are matters that are affected by the work of this agency.

I think the members were impressed that there is a group of people who are trying to do a difficult job. We were impressed by the hardware that is located in their headquarters and by the sophistication of police work in Ontario these days. I know that when I went over there I tried to find my file on the police computer, and they must have mislaid it that day, because it was not there. But there is an ability now for police forces in Ontario through some of the work carried out in the offices of the police commission—

Hon. Mr. Ashe: Yours is in the heavy security section.

Mr. Breaugh: That was where we were supposed to be. We were supposed to be in the heart centre of security in Ontario, and they had obviously done a little work on my file over there. But we were impressed with a group of people who are attempting to do a very important job and were doing it fairly well.

We also found some flaws that I think are rather serious, particularly in the training of police officers. Ontario has a rather unusual system in that it provides for a wide variety of police officers at work. We have police officers who are extremely well-trained individuals using high technology and very sophisticated techniques; those kinds of police officers are present in Ontario.

We also have the possibility, and it is in use now, of having almost totally untrained personnel walking the streets as police officers. We tried to point out that there are some basics that are assumed for some forces, and we think those basics ought to be applied to all police officers.

I will go quickly through some of these recommendations, because I think they are important. We wanted to make the inspection process a normal, annual, public thing so that if the police commission regularly inspects police forces around Ontario—and they really go all the way from being two and three-person operations to the size of the Ontario Provincial Police—we should be trying to develop an expertise, a set of guidelines, a set of training rules that apply to a police officer from one end of Ontario to another, mostly on the basis, I think, that organized crime does not play by the rule that it must only function in areas where our police officers are reasonably well trained.

It seems quite logical, and in fact it does seem to be happening, that organized crime is interested in getting away from those areas of Ontario where there is high police surveillance and high technology and is beginning to function now in areas of Ontario where the qualifications are a bit less, the staffing is a bit less and the technology is nonexistent. We tried to point that out.

If in Ontario we expect a plumber or an electrician to go through a training course and get a licence, how is it rational that we do not expect a police officer to do that before he or she begins his job? So if it is rational for automobile drivers, for plumbers, for carpenters, for any of the skilled trades, for many of the unskilled trades and for salespeople that we demand some kind of certificate before they start doing the job but we do not do that for police officers, is it not a logical thing that first we would train the officer and then we would put him to work?

That, unfortunately, is not the case, and one of our recommendations is that we do just that, recognizing that there are going to be some local options, so to speak, in there.

In other areas where we tried to encourage some kind of upgrading of training it was simply to recognize that at the various police colleges and at post-secondary institutions we should bring all of that training together and allow those credits to be commonly registered, so to speak, with the Ministry of Colleges and Universities.

There were a couple of specific things. We wanted them to make sure that before police officers hit the streets with firearms on their hips they know how to use them. Oddly enough, although we would probably prosecute a plumber who goes in to do a job without a proper ticket, we allow police officers to carry weapons in Ontario without necessarily having had any training in the use of firearms. There has been enough controversy around that problem to indicate, and the committee did, that it is time to train them in the use of firearms before we turn them loose on the street.

The same thing is true of police pursuits. There have been enough rather sad events occurring around the whole issue of police pursuits to indicate clearly that a police officer in a cruiser can be a dangerous weapon if he or she does not really understand how to function in a high-speed pursuit. Some of our forces around Ontario have recognized that as a problem and provide training to their officers on that. We were trying to identify those areas where there was an obvious need for training and to see that the training occurs before the officer hits the streets.

We went through some of the processes of police complaints. They have been covered fairly thoroughly in previous debates; so I will not spend a lot of time on them. We found the consensus was that not many people in Ontario feel comfortable with the idea of complaining about the actions of a police officer. That is a tragedy. Several attempts have been made to rectify it.

I think it is still a bit much to ask people who feel they have been mistreated by the police to (a) go to the police station and (b) deal with all the police officers there in registering complaints. There are techniques we have proposed from time to time that would get us around that problem and provide the balance we want. We do not want police officers crucified for doing their job, but I think it is absolutely essential in a free society to have a technique developed that allows a citizen to register a legitimate complaint with someone other than a police officer.

Attempts are being made to work that out. The committee went through the process of outlining what we thought complaint processes could be, even to the point of getting, if we can, police forces to identify to the population at large how to go about laying a complaint against a police officer. The bottom line is that a police officer who does not behave properly in carrying out his or her duty is a police officer who makes the whole police force suspect in the minds of that community. It does not take a whole lot of them. It only takes one police officer acting improperly to ruin the reputation of an entire force. That is something we would regret.

We went also through some things from the side of an operating police officer in dealing with their complaints. There ought to be some fairness in that process as well. We made a recommendation that parallels things that are done with grievances in the Ministry of Labour. In one of our recommendations, we suggested panels consisting of three people to hear these appeals. Our recommendation was that such a panel should consist of the Ontario Police Commission vice-chairman, a representative of the chiefs of police and somebody who perhaps will raise an eyebrow or two, a representative of the ordinary police officers.

The point has to be made that police forces are not military operations. In many ways they are variations on that theme, and there ought to be some fairness. The same kind of fairness we are arguing for in terms of dealing with citizens' complaints also should be applied whenever a complaint is made that affects a police officer and his or her career.

One of the things that pleased me somewhat was that when we moved on to the Toronto Area Transit Operating Authority, members of all three parties got a good glimpse of the ongoing problems of the government of Ontario in dealing with the federal government of Canada. One thing that is useful in this kind of review is to have members of the opposition see some of the problems the government has from time to time.

As we went through this, it was my impression that we sympathized with the Minister of Transportation and Communications. I think we said fairly frankly in here that there have been some practices developed at the federal level that do not do anybody any good. They may be nice juicy contracts for the Canadian National Railways, but they are a perversion of the political process. There are facilities put together with public tax dollars now being used in almost a punitive way against a facility run by the government of Ontario.

In many regards, when we went through the recommendations on extensions of the GO train and things like that, we were reflecting as individual members the needs we saw in our own communities. As the minister said in his earlier remarks, I do not think they are very different from the designs the ministry has.

If this review served a purpose, perhaps it was a good testing ground for the ministry to try on for size on all three political parties what it had in mind, what its problems were and for the committee to say, "We think there is a need to deal with that huge commutershed from Oshawa to Hamilton and provide them with a proper transportation system." In his earlier remarks the minister responded to that—perhaps not the exactly the way everybody would have liked him to respond, but at least he has responded.

10:10 p.m.

I think it is useful for the members of this Legislature to deal with something like the transit authority in a legislative committee which can also serve as a vehicle for the ministry to air its problems. I think the ministry should be fairly pleased that it went in front of the committee and got what I think was a fair hearing. I do not think it should be hesitant to do so again, or that other ministries should be hesitant, when their agencies are called up, to go in and in a very straightforward way lay the specifics of their problems before the procedural affairs committee or any other committee.

It would be great for all our committees if people representing the ministries and agencies stopped pretending there was nothing wrong with anything anywhere and went before a legislative committee, as the Toronto Area Transit Operating Authority did, and in this instance put a straightforward case that said: "There are things we want to do and are prevented from doing because of the nature of the agreement. There are problems with the fare structure and all kinds of problems."

This committee, in its review of TATOA, tried to identify those problems and to make recommendations which I think will be of assistance to the minister, not only as his reactions so far have indicated but also in future considerations he may have.

The final agency we looked at was the Ontario Energy Board. For me at least, this was a fascinating study of a board that has been the centre of some controversy. The first recommendation reflects an easily found consensus in the committee, that it is time to stop the pretence that the Ontario Energy Board takes a look at what Ontario Hydro wants this year, reviews the request and reports on it; it does not have control over hydro costs in the way it does over the cost of natural gas, for example.

I think the first recommendation is just plain common sense. I was quite pleased to see that even members of the government party, this time around anyway, said it is just common sense to have the Ontario Energy Board Act amended to provide that the board has the power to issue orders with respect to Ontario Hydro rate increases. It is common sense, and it is beyond me why it took so long to get around to this three-party consensus on it.

We went through some things which I admit I am a little uncomfortable with but which the majority of the committee thought should be recommended. I do not deny there is an argument to be made for an automatic pass-through system for gas rate increases that result solely from an increase in the city-gate price of natural gas. The committee went to some length to detail the argument that it is a little silly to go to the expense of hearings and gathering research on something one knows is inevitable.

I want to put on the record that I am a bit uneasy about any kind of automatic pass-through, particularly when the principle does not apply to the population at large. In an era when governments have found that the trendy thing to do is to put together some kind of restraint package or control program, the consumers do not have an opportunity to control their costs. I think it is unfair and in that sense I disagree slightly with the recommendation of the committee about the automatic pass-through.

We went into an interesting problem that we have seen in a number of agencies, that agencies of the crown often go to great expense to provide a service that is substantially of interest to a group of folks running an energy corporation making a lot of money. Thus we find in the Ontario Energy Board, for example, the unusual phenomenon that they go through a great deal of research, a hearing process and the writing of reports but that they lose money in the process.

I guess it is almost a rabid free-enterprise concept that has been recommended here, that it recover its costs for the purpose of conducting those hearings. If it is a rabid free-enterprise thought, it is one I do not have a lot of problem with, because it strikes me that the energy board is dealing with corporations that can afford to pay the costs, the actual costs, of those hearings. I do not have any real problem with that.

We went into a couple of other areas where there was a little bit of controversy, but when one is dealing with corporations or utilities that are providing a service and they really have a monopoly, I think there is an obligation to deal with matters like uninterrupted service to make sure that it happens.

We went into one other thing, which in a perverted way I am told is now resolved. It is the little problem that a number of us brought up during the course of the committee hearings, that if a body like Consumer's Gas is given a monopoly to provide a service, then it ought to lose a little bit of its rights to do what other businesses might do.

For example, if such a body cuts off the gas on a weekend, or whenever, and the people call members of the Legislature or the gas company itself, there ought to be a means of rectifying what might be an obvious error. We told the Ontario Energy Board that we have run into some problems with that in many of our constituencies.

I am now told, I think by a letter from the Ontario Energy Board which I saw somewhere this morning, that they had gone into this with all the providers of service and that all of them claim that no matter when the gas is cut off, and it does not matter whether it is after normal office hours, there will be someone available who can correct an obvious error.

I think it is important when they are providing that kind of essential service to a community that they react in a responsible way, and I think that during the committee hearings we went to great lengths to try to establish that.

We are not trying to cover up for deadbeats here, but a number of us had found people who, for some reason, had not been given proper notice and had their gas cut off during the evening or on a weekend. Try though we might, we could not find anybody who had the authority to provide a restart of that service.

In a sense, at least on paper, the energy board now is prepared to assure us that this is no longer the case and that each of those corporations will provide a technique whereby the service can be restored.

At the end of the report it goes on through some of the recommendations from previous reports. I want to reiterate very quickly that this is a technique which I think is extremely valuable. I have been here long enough now to have participated in a number of debates where committees reported to the Legislature, a debate ensued, we all agreed it was a good idea and then nobody ever did anything about it.

One of the things the procedural affairs committee has attempted to do is to make sure that does not happen with these recommendations.

There is before the House tonight a report which I recommend to all members. I think the process is useful, and I believe the recommendations in this report, with the exceptions noted in our dissenting opinions, are matters that would be good advice for the ministers in charge and for the Legislature as a whole.

The Deputy Speaker: The Solicitor General.

Hon. G. W. Taylor: Merci. Thank you.

Mr. Conway: Roy McMurtry's lap dog. We hear rumours.

Hon. G. W. Taylor: Well, we know our positions over here, unlike the member's party. We have great difficulty with his front bench. Who is the leader? They have leaders, ex-leaders, would-be leaders, pretenders-to-be-leaders. It is quite an ambition. We watch that front row.

Mr. Conway: Don't embarrass Norm Sterling. You will embarrass him if you keep that up.

Hon. G. W. Taylor: I do not want to be provoked, but the member had the first one.

At this very late hour and about this report that has been brought forward by the standing committee on procedural affairs, there are some comments I want to make regarding the matters that come under the jurisdiction of the Solicitor General, one in particular being the Ontario Police Commission, which the committee dealt with.

I might add that my name appears at the front of the report, but I was not there when the deliberations and recommendations were made. I was on the committee during parts of the hearing; however, I did not partake in the recommendations. I must say, though, I could not disagree with most of the recommendations contained in the report. I might add that, as Solicitor General, I have filed a reply to the recommendations about the Ontario Police Commission.

By and large, the recommendations were well thought out and well presented but, as I mentioned in my letter, the committee did not come to a final decision on one of the thorniest ones, that very controversial subject of whether the recommendations of the Ontario Police Commission should be implemented and whether there should be legislation saying they must be implemented by the force the commission is investigating or reporting on and making those determinations about.

10:20 p.m.

Recommendation 1 says, "The Ontario Police Commission make its inspections of the province's local police forces and the Ontario Provincial Police mandatory on an annual basis, and that any recommendations that result from such inspections be made public."

My comment on that is that the Ontario Police Commission now has a policy of conducting an annual inspection of all 127 municipal police forces in the province. There is currently a provision in the Police Act for inspection of the Ontario Provincial Police by the commission, and a limited inspection of some particular aspect of the OPP's activities might be possible. It is a large force. It has some activities that could be successfully reviewed and inspected by the Ontario Police Commission.

It is something I am prepared to consider and discuss with both the commissioner and the Ontario Provincial Police and the chairman of the Ontario Police Commission. Even if it is just a limited inspection, it might necessarily involve hiring further staff to conduct the inspections of a force of this size, particularly in some of the areas it must review. However, it does not present a total impossibility.

One of the items mentioned this evening, and one we are trying to come to a conclusion on, is the training of police officers. I can deal with one or two recommendations in one discussion, in that, through the committees and the Council of Regents for the community colleges, we have come to a conclusion that there will be a set, standard course for those individuals taking the law and security program.

We have not come to the firm conclusion that this is a prerequisite before entering the service of the police and policing in Ontario, but it is now a standard course and certain subjects will be covered and reviewed. Each individual taking that course throughout the community colleges in Ontario can get some background for his future service in the performance of police duties.

We do not have it down that it is a matter of fact and a prerequisite to becoming a police officer that one should go through the Ontario Police College at Aylmer. That will come, we hope, with the completion of the review of the Ontario Police Act in that those parties who are reviewing it—the Association of Municipalities of Ontario, the police governing authorities, the different police associations and the different municipalities represented on that committee—may make a recommendation to the effect that one attends the Ontario Police College at Aylmer before one goes into the service of the public as a police officer.

One small mention was made that not all officers have received training in the use of firearms in Ontario, nor do they maintain a knowledge of the use of firearms. That is just one of the areas, but we are creating refresher courses throughout Ontario in all areas of policing and through the sub-units of policing, such as the C. O. Bick Police College in Toronto and the—

Mr. Boudria: Does that include crisis intervention?

Hon. G. W. Taylor: Yes, it does. The Ontario Provincial Police college at Brampton has some advanced courses, refresher courses and specific courses, some of which are advanced as to their earlier training and some of which are more specific to the training the police forces may be carrying out in the jurisdiction that is more common to them, such as C. O. Bick, which is the Metropolitan Toronto Police col-

lege and which would concentrate more on Metropolitan issues than some other colleges.

The advanced training in policing is coming up and I recognize that, as does the Ontario Police Commission. It is making great strides in assuring, under the guidance of Mr. Shawn MacGrath and the new director at the Ontario Police College, Doug Drinkwatter, that education in policing is at the highest level and improving all the time.

Police pursuits were mentioned. I recognize that is a controversial subject. There is no denying that some of those police pursuits end in cruel situations for individuals in that there are lives lost, there are injuries and there is property damage resulting from some of them. But I have great difficulty in seeing, as some might suggest, that pursuits should be totally removed from the activities carried on by the police.

Through the Ontario Police College and the research of the Ontario Police Commission, we have reviewed all the guidelines and practices of other police forces throughout North America. As a result of that review, we have put together guidelines for police use, and they have been issued to all police forces in Ontario—guidelines that should be used when a pursuit is commenced or to determine when it should cease.

No matter how one divides up, cuts up or presents these guidelines to the police officer, it becomes a judgement call for the individual police officer in the individual circumstances the police officer is in at a particular time. That police officer must make a judgement call as to when he should commence or discontinue a pursuit.

As a concomitant of that, there is and has been instituted at the police college, not a pursuit course, as some might want to label it, but a driver training course. Just in the past few weeks I was able to attend at Aylmer and open the initial course on driver training there.

The driver training course has been instituted because it has been recognized that, during the initial stages of a police officer's career, there is a high incidence of accidents involving motor vehicles. I guess they assume that when they receive a driver's certificate they can take charge of an automobile and drive in all types of situations. When they get professional instruction from the instructors at the police college, the latter do point out situations.

While one recognizes that police officers spend many hours behind the wheel of a motor vehicle, and while one recognizes that damage to motor vehicles and to other people has the sad effect of loss of life and injury, one also has to recognize that police officers must carry out their work in the greatest amount of safety.

They are put through mockup situations in an area that has been prepared at an old air force base. They do practice runs on an airport strip that has been laid out in configurations so it resembles a municipality, and situations are set up that would commonly occur in driving an automobile in a municipality—not in a pursuit situation, but in a common, normal driving situation. They are put through these simulations so they can better prepare themselves for situations and thus not be problems to other drivers on the road.

One has to recognize that officers while driving are also performing many functions as police officers, such as watching for criminal activities, watching for breaches of traffic violations, etc. So there is a heavy onus put on police officers.

As to the citizen complaint process, recommendation 9, members are probably aware that there is an experimental situation in Metropolitan Toronto. That is being regarded as a pilot project. Should the results prove satisfactory, it could possibly apply throughout Ontario, if such a recommendation were made and if the government were to recognize that the application was satisfactory for the province.

I recognize, Mr. Speaker, that the time is fast evaporating, if it has not evaporated.

The Deputy Speaker: Let us call it evaporated.

Hon. G. W. Taylor: I will conclude my remarks and I will ask if the debate on this matter might be adjourned.

The Deputy Speaker: It is our understanding that there are other speakers on this report.

On motion by Hon. G. W. Taylor, the debate was adjourned.

The House adjourned at 10:30 p.m.

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Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Friday, October 29, 1982

The House met at 10 a.m.

Prayers.

STATEMENTS BY THE MINISTRY

TAX GRANTS FOR SENIORS

Hon. Mr. Ashe: Mr. Speaker, this morning I would like to update the honourable members on the processing and mailing of 1982 Ontario property tax grant cheques for seniors.

During the first week of September, the Ministry of Revenue mailed 586,000 applications for the second instalment of the 1982 property tax grant to all Ontario seniors whom the ministry considered eligible.

The first instalment of the 1982 payment, to a maximum of $250, was mailed in May. These recent applications, therefore, are used to establish continued eligibility for the property tax grant and to determine how much of the annual $500 grant maximum is owed each applicant.

As of October 28, 529,323 or 90 per cent of property tax grant applications had been returned to the ministry, of which some 489,676 or 93 per cent have been fully processed.

As a result, I am pleased to report to this House that today the ministry will mail 478,369 property tax grant cheques totalling $114.9 million to seniors throughout the province. Cheque mail-outs will continue on a regular weekly basis until the application processing is completed. The average cheque amount per household is $240, while seniors applying for the grant for the first time will receive their entire 1982 grant in one lump sum.

The honourable members should be aware of the significant contribution that these grants represent to seniors in the payment of their property taxes. For 143,557 seniors in Ontario, this property tax grant will pay 100 per cent of the property taxes. For another 84,688 seniors, at least 75 per cent of their property taxes are offset, while for 146,088 seniors between 50 and 74 per cent is paid and for just under 98,000 seniors between 25 and 49 per cent of their property taxes is paid.

This year, the Ministry of Revenue has introduced a number of important improvements in the delivery of the Ontario tax grants for seniors program. For example, an improved and simplified application form and instruction sheet, both of which were field tested extensively with encouraging results, have greatly facilitated the application process for Ontario's seniors.

Further, our ongoing public information program, including paid advertising, posters and other literature, is paying significant dividends in the form of a 50 per cent error rate reduction in completed applications. Improved telephone information service has accelerated the handling of the 30,737 telephone inquiries received since the applications were mailed, while some 3,550 walk-in customers have been assisted in the completion of their application forms by staff in our head office public inquiry centre.

My ministry is aware of the importance of the information link to Ontario's seniors provided by the honourable members of this Legislature and their constituency offices. Consequently, we have undertaken the following measures to strengthen our services and information flow to MPPs' offices throughout Ontario:

First, the introduction of an inquiries control unit dedicated exclusively to the processing and tracking of public inquiries directed by seniors to the office of their local MPP. This unit has greatly increased our inquiry volume and control capacity, and already this fall 1,765 MPP telephone inquiries have been dealt with by this specialized group.

Second, improved client inquiry forms.

Third, a series of training sessions conducted for constituency office staff. I would add that the ministry has also conducted, on a pilot basis, a number of application form clinics for ethnic community groups to further reduce the burden of inquiries at the constituency office level.

In addition, since the beginning of the year, the ministry has issued five special bulletins and two information kits to constituency offices across Ontario. These mailings have provided constituency offices with advance notice of cheque mailings, newspaper advertising and important information on program updates. The sixth bulletin in this series is being distributed to members' offices in conjunction with today's cheque mail-out.

Finally, the Ministry of Revenue has rounded out its 1982 Ontario tax grant public assistance

effort with a unique application of Telidon technology. Several times over a three-week period the ministry recently broadcast a half-hour tax grant information program on local cable channels to systematically take seniors through the application form and to explain the steps required to fill out each section correctly. Response to these broadcasts was encouraging, and my ministry looks forward to exploring similarly imaginative uses of the Telidon medium to further improve the administration of the tax grant program in 1983.

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr. J. M. Johnson: Mr. Speaker, on a point of personal privilege: I would like you to investigate an incident that occurred last night. The standing committee on administration of justice, which was meeting in one of the committee rooms in this House was forced, under pressure, to move to the Macdonald Block. I resent the fact that it was forced to do so.

The second point I feel quite strongly about is the fact that when I talked to the Sergeant at Arms he advised me that you, Mr. Speaker, have no control over security in the Macdonald Block. As we had no other means of security at the time, the Sergeant at Arms took appropriate measures.

I would like you to investigate who will be responsible for security if such an event occurs again and, second, whether such an event ought to have occurred. I ask you to investigate because I feel that my privileges as a member of this House have been abused.

10:10 a.m.

Mr. Epp: Mr. Speaker, I would like to speak to that.

Mr. Speaker: Just one moment. Before we all get carried away here, I have to advise the member for Wellington-Dufferin-Peel that is not a point of privilege.

As I have said many times, I do not have the authority or the jurisdiction to investigate and report back to the House, that is not one of my responsibilities. Indeed, the Sergeant at Arms was absolutely correct when he said I do not have anything to do with security in any building beyond this building; so I have to rule the honourable member out of order. Having said that, I cannot hear anything further, because there is nothing further to discuss.

Mr. Mackenzie: On a point of order, Mr. Speaker: Can we have some understanding in this House as to the general housekeeping arrangements in terms of the inadequacy of a room for a hearing of people before a committee? Better than 400 people showed up, which was much more than was expected by anybody, many of them elderly, and we cannot—

Hon. Mr. Ashe: You only had a 10 per cent turnout.

Mr. Mackenzie: The minister can insult them if he wants.

Hon. Mr. Ashe: You created it. You only had a 10 per cent turnout.

Mr. Mackenzie: I am trying to be serious, Mr. Speaker, not provocative.

Mr. Renwick: We had a serious problem last night.

Hon. Mr. Ashe: Well, no wonder; you created it.

Mr. Speaker: Order.

Mr. Mackenzie: Will you shut that jackass up?

Mr. Speaker: Will the member for Hamilton East (Mr. Mackenzie) please resume his seat? I am sure the honourable member, on reflection, will want to withdraw that remark, and I ask him to do so.

Mr. Mackenzie: I will be pleased to withdraw the remark, Mr. Speaker.

Mr. Speaker: Thank you.

Mr. Mackenzie: We had a rather serious situation with a number of people, including elderly people, in the building last night. If something had happened to one of them in that hall, I hate to think of what could be said about this Legislature.

At the very beginning of the session, as the first item of business, we moved a motion to transfer the meeting to a larger facility and suggested the Ontario Room in the Macdonald Block. My concern, and the reason I want some ruling on housekeeping arrangements, is that it took more than an hour of running back and forth before we were told they could not reach either the Chairman of Management Board (Mr. McCague) or the Minister of Government Services (Mr. Wiseman).

Finally, they reached the government House leader (Mr. Wells), and at first it appeared as if we were going to be moved, then we could not. The very abrupt word from the chairman was that we could not be moved; they could not do it. Finally, the committee, in its own judgement, and I give credit to all of them, voted unanimously

that we move whether we had the authority cleared in advance or not.

The point I am making is that it was an utter shambles in that committee. We had 400 people wanting to be heard, and nobody in this building seemed to have the authority to make a legitimate move. Surely we are entitled to some direction as to what happens when there is a really serious crisis such as this.

Mr. Epp: Mr. Speaker—

Mr. Speaker: Just one moment, please. I again have to rule that that is not a point of order. However, I point out to the honourable members that the accommodation of committees in committee rooms in this building is no great secret to anybody. If there were an overflow crowd, I would assume they would be seated in the committee room on a first-come, first-served basis.

Quite obviously, the committee in their wisdom chose to move some place else. Again, it is beyond my authority and jurisdiction to have anything to do with that. It is not my job or responsibility to look after accommodation other than in this building.

Mr. Mackenzie: Mr. Speaker, I asked you if we could not get some ruling from somebody.

Mr. Speaker: I suggest that you ask the proper question at the proper time of the proper minister.

Mr. Epp: Speaking further to that point of order, Mr. Speaker, as you know, the Metro tenants were out in great numbers yesterday. My colleague the member for Windsor-Sandwich (Mr. Wrye) indicated to the committee either very early this week or last week that they were going to be here and that the committee should move. The committee did not make any particular—

Mr. Speaker: Order. I have to rule again that you are talking on the same point and it is out of order. It is beyond my authority and jurisdiction to provide accommodation other than what accommodation is in this building.

CHILDREN'S ACT CONSULTATION PAPER

Hon. Mr. Drea: Mr. Speaker, I wish to draw the honourable members' attention to a document released today by my ministry, entitled The Children's Act, A Consultation Paper. For the convenience of the members of this House, I had my staff deliver copies of this consultation paper to each member's office prior to question period today.

I would like now to explain the background to this paper and what we hope to accomplish through its release and the subsequent consultation.

What this consultation paper does is point out the direction we might take towards a new Children's Act. The objective is to reform and consolidate all existing provincial children's legislation administered by my ministry.

In 1977, the ministry acquired responsibility for numerous additional programs, such as children's mental health, juvenile corrections and the family court clinics. These, together with the child welfare branch, children's and youth institutions and the day nurseries branch, were placed under the umbrella of the children's services division.

At that time, legislation was identified as one of several areas in the children's service system which needed reform. Some interim amendments were enacted in 1979, but they were not intended to represent long-term comprehensive legislative change. That, however, is the objective of the proposed Children's Act.

The proposals in the document I have tabled would amalgamate 11 existing statutes: the Child Welfare Act, the Training Schools Act, the Provincial Courts Act (as it relates to observation and detention homes), the Children's Probation Act, the Children's Residential Services Act, the Children's Institutions Act, the Day Nurseries Act, the Children's Mental Health Services Act, and the Developmental Services Act, Charitable Institutions Act and Homes for Retarded Persons Act (as they relate to children).

These proposals are intended to eliminate existing inconsistencies among the various acts, make the law easier to understand and address new legal issues.

The consultation paper on the new act that I am releasing today represents at least three years of hard work by members of my staff in preparatory consultation with individuals and representatives from a variety of organizations in the community.

The recommendations contained in this 184-page paper are designed to provide a framework for the children's and youth system of the future. Just to single out certain highlights:

The paper proposes that the new act contain a declaration of the basic principles and goals of Ontario's children's services system to reflect the general philosophy or approach underlying the legislation.

It recommends, as a basic principle of the act,

that services to children should "support, enhance and supplement the family, wherever possible, rather than compete with the family by providing alternative care and supervision". It adds, too, that children should be removed from their parents' care only as a last resort. When intervention in the life of a family or child is necessary, the least restrictive or drastic alternative should be chosen.

The paper also recommends that parents and children should be given broader opportunity to be heard when decisions affecting their interests are being made or when they have questions or complaints regarding services.

It also reiterates the ministry's position that community living is preferable to institutional living and open facilities preferable to locked ones. It recommends a shift in resources from residential care to prevention and the provision of such services as homemakers, self-help training and parental relief. It says all services to children and families should be based on a recognition of cultural uniqueness and regional differences.

On the other hand, we face the need to enlarge our juvenile correctional system to accommodate the consequences of the federal government's Young Offenders Act which, among other things, raises the age of youth to under 18 from under 16. For us, these consequences include the need to provide a broad spectrum of services embracing probation, restitution for victims and security, ranging from minimum to maximum. A further consequence is the need to determine how best to deal with offenders under 12 years of age.

Other chapters in the consultation paper deal with voluntary routes to service children in need of protection, the rights and responsibilities of children in care, adoption and foster care, and records and confidentiality.

The purpose of this consultation paper is to generate discussion on the future direction of children's legislation in Ontario. With that in mind, we would like to invite the widest possible response to this paper in order to elicit the clearest, most informed and direct guidance from the community on this proposed legislation. I might add that we welcome comments on all issues relevant to the proposed act, whether or not they are specifically raised in the paper.

To ensure we get that response, ministry staff will be available to attend public meetings around the province and to address specific groups. We have set a deadline of April 29, 1983, for public response to this paper.

In closing, I invite the members of this House to give this consultation paper their close attention and encourage members of their constituencies to do the same. Additional copies of the paper are available from the program information unit of my ministry on the sixth floor of the Hepburn Block. Written comments on the paper should be directed to Mr. Dick Barnhorst, manager of policy development, who is on the third floor of the Hepburn Block.

10:20 a.m.

UNIVERSITY SYSTEM IN NORTHEASTERN ONTARIO

Hon. Miss Stephenson: Mr. Speaker, in response to a recent recommendation made by the Ontario Council on University Affairs, the government has accepted the principle of restructuring of the university system in northeastern Ontario. The council's recommendation follows the completion of a special study conducted on its behalf by Dr. Arthur Bourns, formerly president of McMaster University, and an extensive process of consultation with the institutions concerned.

As a first step towards the development of a new university for northeastern Ontario, the government has decided to establish a committee to make recommendations concerning acceptable governing and administrative structures for the new institution and to address other relevant basic issues that will arise in the creation of the new institution.

The government believes that a restructured university system in northeastern Ontario will enhance the opportunities for post-secondary education for the citizens of the region.

The post-secondary institutions in northeastern Ontario are faced with unique conditions: low density of population, low participation rate, the need for programs in French and English, and great distances between centres for off-campus courses.

These conditions have made it difficult for the institutions to offer an adequate range of programs, and a large number of the potential students have chosen to attend larger universities in southern Ontario.

The government believes that a restructured university will be able to make more effective use of existing human and financial resources to offer appropriate courses. To reach this goal, co-operation and co-ordination between all those involved will be required.

Algoma College, le Collège de Hearst, Laurentian University of Sudbury and Nipissing

College will become integral parts of the new university. The University of Sudbury, Thorneloe University and Huntington University, currently federated with Laurentian University, will continue to be federated with the new university.

The committee to which I have referred will have the following terms of reference:

1. To propose a workable governing structure for the new multicampus university, in particular the composition, powers and duties of the board of governors and senate;

2. To propose a workable administrative structure, including the powers and duties of the chief executive officer and the other executive officers in each campus;

3. To propose an appropriate allocation, by the new university, of certain assets of the existing institutions for the exclusive benefit of the corresponding new campuses;

4. To propose a procedure for the implementation of the new structure and to estimate the one-time, startup costs of this implementation;

5. To propose a name for the new university;

6. To present its final report by April 30, 1983.

The final report of the committee should be such that it may be used as a basis for the drafting of an act for the new university.

I am pleased to inform this House that Dr. Harry Parrott has been appointed to chair this committee. As a former Minister of Colleges and Universities, Dr. Parrott is well known to the members of this House for his integrity and his service to this province. I will be appointing two other members to this committee shortly.

In addition, the committee will be composed of six representatives nominated by existing institutions and representative of the local community. Those six will be selected as follows: two from Laurentian University (one francophone and one anglophone); one representative for the three federated universities (Sudbury, Huntington and Thorneloe); and three representatives, one for each of the new affiliates (Algoma, Nipissing and Hearst).

I should also like to take this opportunity to discuss briefly the situation of le Collège de Hearst. As has been reported, the college is facing serious financial difficulties, and last summer I commissioned a study of its long-term viability. This study has been received, and I am taking this opportunity to release the study today. Its recommendations concur with those of OCUA that the college will have the best chance of survival if it becomes part of a restructured university in northeastern Ontario.

We will take the necessary steps to ensure that the institutions concerned shall remain in operation during the period of restructuring.

ORAL QUESTIONS

METROPOLITAN TORONTO POLICE PRACTICES

Mr. Peterson: Mr. Speaker, I have a question for the Attorney General. He is no doubt aware that on Tuesday of this week my colleague the member for Kitchener (Mr. Breithaupt) urged the Attorney General to make a statement clarifying his inadequate and evasive responses with respect to earlier questions in the so-called Proverbs investigation.

Throughout these questions he has either chosen to ignore the questions of the people from this side of the House or felt he was above the whole fray. I want to ask him this simple question: Why has he not subjected all the tapes to a search warrant? Has he issued a search warrant to get all those tapes into the possession of the police?

Hon. Mr. McMurtry: Mr. Speaker, in view of the Leader of the Opposition's preamble to his question, I wish to say that I understand the statement made by the member for Kitchener was ruled out of order. I was not here. It was straight nonsense.

Anybody reading Hansard would appreciate that my response to his question was totally adequate and addressed the question that was asked. It has never been my practice to discuss in this Legislature the details of ongoing investigations, because to do so could at the very least only undermine the effectiveness of those investigations.

Mr. Peterson: That is complete nonsense. The Attorney General can certainly tell us whether he has issued a search warrant for all those tapes which are very much at issue here. He knows it. He is evading it.

I refer the minister to the briefing notes of the Premier (Mr. Davis) from the Provincial Secretariat for Justice for the Premier's policy conference of August 8 to 10. It says things like this: "What should give rise to equal concern are the disturbing indications that an increasing number of citizens and citizens' groups no longer believe that the justice system meets their expectations and are losing faith in the ability of our public institutions to cope successfully with crime and the criminal."

Does the minister not believe he is contributing to that erosion of faith when he fails to be forthcoming with members of this House on

questions that, in this case, would in no way hamper the investigation?

Hon. Mr. McMurtry: First of all, the Ontario Provincial Police do not need any advice from the Leader of the Opposition, of all people, as to how they conduct an investigation. If anything is eroding faith in the administration of justice and law enforcement, it is stupid statements coming from people like the member, who wants to turn these important issues into petty partisan bickering. He should be ashamed of himself.

Mr. Peterson: The minister may be aware of the briefing notes from the provincial secretariat. Under the title Signs for Concern, it says: "In many respects there has been a decline of faith in our public institutions which deal with the crime problem, police, crowns, courts and prisons, and that dissatisfaction in turn gives rise to concern justified by what evidence is available that the failure of victims to co-operate with the criminal justice system is increasing. Recent studies in Canada confirm the serious underreporting of crime, from 23 to 50 per cent depending on the type of offence."

The policy secretariat felt so strongly about the concerns it had expressed that it conveyed them to the Premier so he would be briefed as he went to discuss these matters with his colleagues, the first ministers of this country, at a national conference.

On the other hand, we see the minister's failure to look into this matter and to give any kind of public satisfaction. We have no idea what he is doing behind the scenes, but surely the question I asked him would not interfere with the police investigation. Does he not think that kind of action erodes faith in the system in the same way that his handing out of judicial offices for political favours erodes faith in the system? Is he not making his contribution to this erosion of faith in the system?

10:30 a.m.

Hon. Mr. McMurtry: I would remind the House that the investigation into the Proverbs tapes is headed by Deputy Commissioner William Lidstone, one of the most senior and respected police officers in this province. I can assure the member that he is acting in the public's interest, as he has always done.

As far as I am concerned, attempts to cast aspersions in his direction or in the direction of other officers who are handling this investigation are not going to erode the public confidence. Much to his sorrow, the Leader of the Opposition has to understand the truth of the matter, that the public has a hell of a lot more faith in people like Deputy Commissioner Lidstone than they have in him.

Mr. Peterson: On a point of privilege, Mr. Speaker: I would like to respond, because in no way did I cast any aspersions on the character or reputation of Deputy Commissioner Lidstone. I am clearly casting aspersions on the Attorney General. If he does not believe his own documents from his own policy secretariat, then who is he to believe? I understand his problem.

I have a question for my close friend the pugilist, the Minister of Consumer and Commercial Relations.

Hon. Mr. Davis: I am willing to make book that he will take you any time.

Mr. Peterson: You want to get into the fight too, do you? You little guys had better be careful making threats like that.

Mr. Speaker: Order. The Leader of the Opposition with a new question, please.

CADILLAC FAIRVIEW

Mr. Peterson: Mr. Speaker, on Tuesday of this week the Minister of Consumer and Commercial Relations said, with respect to the Greymac-Cadillac Fairview proposition: "I hope we can make certain that it is a reasonable sort of sale. I have not heard anyone suggest that it is not a reasonable price, but of course those are matters that will be fully disclosed when more details are known about it."

In discussing this matter yesterday, the minister said he indicated to the member and others, "I am prepared to request that Greymac come to my office and discuss the details of the transaction." At least at this point he is not prepared to involve himself in any public discussion of these matters.

I want to ask, specifically, are the Greymac officials coming to him? When are they coming to him? What matters is he going to discuss with them?

Hon. Mr. Elgie: Mr. Speaker, I think what I endeavoured to say was, if one looks at the deal as it was reported in the press, on the surface the price does not appear to be unreasonable, the suggested down payment does not appear to be an unreasonable one, and the interest rates reported in the papers do not appear to be unreasonable. That is all I am saying on the face of the information available to us.

My deputy has been in touch with Greymac Credit to endeavour to set up a meeting with

Greymac. I talked to him about it again this morning. The meeting has not yet been established but it will be one day next week. At that meeting, we will be discussing the nature of the contract, the terms, who will be managing the building, the qualifications of the management staff.

The tenants are rightly concerned that this is a very large piece of property. By and large, they have been very satisfied with the upkeep and maintenance of the property and they want some reasonable assurance that kind of upkeep will continue. Those are the sorts of questions we will be discussing.

Mr. Peterson: In addition, is the minister going to be investigating the recent acquisition of the control of Crown Trust by Greymac? Does the trust company or its takeover have any relationship to the deal in terms of its financing or any other aspect of the purchase? Would it be a matter for consideration by the financial institutions division of his branch?

Similarly, is the Ontario Securities Commission investigating this matter from the point of view of the minority shareholders of Cadillac Fairview? Is the minister going to look into all of these matters through his various agencies and publicly report back to this House on all aspects of the deal?

Hon. Mr. Elgie: I am sure the member knows the Crown Trust takeover issue initially faced the Ontario Securities Commission in two stages. The first was when a number of shares were acquired which gave one shareholder effective veto control over any financial restructuring Crown Trust wanted to make. That issue was before the OSC.

When there was a takeover by Greymac with a full follow-up offer to all minority shareholders, the nature of the inquiry before the securities commission changed and focused on other issues not related to Greymac's takeover of Crown Trust.

To this time, I have no reason to think that the securities commission is looking at any other aspect of the recent merger of Crown Trust and Greymac. To my knowledge the statute does not require the securities commission to look into transactions of that sort, which on the face of them seem to be legitimate.

Mr. Philip: Mr. Speaker, there is clear evidence that the takeover or switching of buildings by corporate interests is the single most inflationary factor in the increase of rents in this province. Since the minister himself admits that this case requires his investigation and since the date of this sale is quickly approaching, why will he not give us a commitment in this House today that he will call for a moratorium on the sale of buildings until he has finished his investigation of Cadillac and until he has looked at ways of plugging the holes and preventing these takeovers from passing on increased costs to tenants?

Hon. Mr. Elgie: Mr. Speaker, on the surface, the deal as reported in the papers has all the appearances of a reasonable transaction. We all have concerns about the impact the transaction may have on tenants. I have indicated it is a matter that should be dealt with in the rent review process. If that means we have to look at the amount of equity required and an adjustment in the amount of time for phasing in the financing cost, then we are prepared to review those issues and look at them.

However, if the member is really suggesting that the government should introduce special legislation to halt a private transaction in the absence of any knowledge that there is something fraudulent about it, I suggest that would be to deprive people in this society of a fundamental right.

Mr. Peterson: With great respect, I suggest to the minister that he is being very blind in the circumstances. He is painting himself into a corner which it is going to be very difficult for him to get out of.

Mr. Speaker: Question, please.

Mr. Peterson: Evidence is increasing from a variety of different areas that there are a number of suspicious aspects to this entire deal. Those suspicions will continue, given the minister's failure to satisfy himself and indeed all of us that there are no untoward aspects.

Would the minister not feel it was reasonable to look into all aspects of this deal publicly before the closing? As he knows, there is now a suspicion that the closing will be a week or two earlier than originally contemplated, on November 16. I am sure the Premier (Mr. Davis) is aware of that, because they are probably close friends of his.

In the interest of all the concerns which are under his control, such as the securities commission and the financial investigations branch, I would ask the minister, who is at the apex, to look into all aspects and get back to this House very quickly, should we fail to have this looked into publicly through a committee. Why will the minister not do that? He owes it to the tenants of this city.

Hon. Mr. Elgie: I have already indicated that we are now endeavouring to set up a meeting with Greymac to obtain more information about the full nature of the transaction. I have also indicated that to my knowledge neither the superintendent in the area of financial institutions nor the securities commission has any statutory authority to look into the kind of matters the Leader of the Opposition has referred to.

I will certainly be glad to review it with them once again to see if there is any statutory issue that warrants further investigation, but I do not think the member can say that what I am proposing is unreasonable nor, on the surface of it, can he say there is anything wrong with the transaction. If something comes to light, clearly we will have to face it and deal with it.

SHELTER ALLOWANCES

Mr. R. F. Johnston: I have a question for the Treasurer and I would appreciate it if he could be notified while I direct my second question to the Minister of Community and Social Services.

I would like to raise a question about the inequities in the recent welfare increases that the minister announced. Taking into account the fact that there has been no increase in the basic rates for almost two years, while in the same period there has been about a 26 per cent increase in the consumer price index for welfare recipients, is it not a fact that the majority of the recipients will not be eligible for the maximum rental subsidy the minister has just brought in?

Will not most of them receive close to the five per cent base increase and not the 17 per cent increase for the single employables, and will not most of them be losing between 18 and 20 per cent against the cost of living during that period? How can the minister rationalize leaving 7,000 people, as I understand it from his ministry, without any coverage or increase at all because they happen to live with families and are not single?

10:40 a.m.

Hon. Mr. Drea: Mr. Speaker, when I made the announcement I pointed out those factors. It is not a universal increase. There will never again be a universal increase in this province. I know that bothers the member for Scarborough West, but then his approaches to the financing of social assistance are in the realm of financial fantasy.

After all, I have a particular problem to deal with this winter. As I explained to the Legislature when I brought in the package, it was specifically aimed at countering the impact of the recession. I do not understand the honourable member's change of heart. For a month he bleated in this House about the plight of the single unemployed and how they needed a shelter supplement. He knows the particular people he bleated about in the Metropolitan Toronto area will be receiving that unless they are paying extraordinarily low rent. He cannot have it both ways.

In order to put a particular thrust in immediate dollars for the people hardest hit by the recession, there had to be priorities established. One of the ways we were able to utilize an overall allocation of five per cent to put very specific extra amounts of money into selected groups was not to grant it in cases where people were living with friends or relatives and they were receiving the maximum. That was a decision taken by us. If there turns out to be a problem in that particular area, then we will look at it in our next review.

Mr. R. F. Johnston: It is just incredible to me that the minister believes there is only one section of this group that is hard enough hit to warrant a major increase. Surely the minister is aware that 31.6 per cent of the present exhaustees are people who have no other wage earner in the family. We know that at the moment. We know all of them are not single. We have that information. That means that families—

Hon. Mr. Drea: From where?

Mr. R. F. Johnston: That is from the exhaustees' information that the minister should have access to, as I do.

Mr. Speaker: Supplementary, please.

Mr. R. F. Johnston: For instance, SKF workers, 60 per cent of whom are now unemployed, most of whom are family members, many of whom are going to be in that position of going on welfare this winter, have families, and all the minister has given them is about a 90-cent increase for a family of four for food, clothing and transportation. How does he advise a family of four going on welfare this winter to spend that 22.5 cents each per day for food to look after their families? Surely there is as serious a problem for those people as there is for the single person who is now on the streets of Toronto.

Hon. Mr. Drea: Last week I pointed out at great length what we were doing in terms of a very significant recession package in social assistance. I was one of the ministers who met with the Honourable Lloyd Axworthy yester-

day. I suggest to the member there is no way that social assistance in any way, shape or form, regardless of how much, is going to do anything for people who have lost their jobs. Those were precisely the issues we were talking about yesterday.

Furthermore, some of the member's Unemployment Insurance Commission statistics are not factual. He might want to talk to me or to the Honourable Lloyd Axworthy. One of the problems I face—

Mr. R. F. Johnston: Name what is not factual.

Hon. Mr. Drea: If I ever had to name what the member says that is not factual, I would consume the entire working session of this parliament.

Mr. Speaker: Never mind the interjections, please.

Hon. Mr. Drea: I am delighted the member has finally found out about the UIC exhaustees after I have been talking about them for two months. One of the particular problems of the exhaustee is—

Mr. R.F. Johnston: Why are you doing nothing for the families that are affected? Your monomania is for singles; families are in the same position.

Hon. Mr. Drea: At least when I bring in a package it is as stated. I do not doublecross my friends out on the lawn by suggesting to the minister that I undercut their position. I do not change my position over four months from $700 million down to $237 million. I do not do all kinds of whipsaws because I did not think the minister would bring in anything.

If we want to talk about the exhaustees, this is a very significant problem in Canada this winter. It was specifically discussed at great length yesterday by my friend the Treasurer, staff and other ministers with Mr. Axworthy.

One of the problems is that people use up their UIC credits. One spouse in the family has already used it up; the other spouse, and in more than two thirds of the cases that is the male, is rapidly exhausting his. The prospect that is facing unemployment insurance people, the federal government and ourselves, is that of the entire family suddenly becoming a general welfare assistance case.

The discussions that took place yesterday, the programs announced by the federal Minister of Finance and the programs the federal Minister of Employment and Immigration hopes to implement in the near future are targeted specifically to this group.

As of about 47 minutes ago, I started negotiations with the Canada Employment and Immigration Commission on a fast implementation of programs designed specifically for the category the member is talking about. Job creation in that area is really what the people want, rather than the member's repeated whining.

Mr. Boudria: Mr. Speaker, notwithstanding what the minister has told us, a family of four on welfare has had its purchasing power reduced by 38 per cent in the last six or seven years and 75 per cent of the welfare recipients, in his announcement of last week, will be getting an increase of five per cent or less according to his own office. The minister said in this House on September 21, "I would suggest that we are reviewing the social assistance rate as a government with a great deal of sensitivity and sympathy." I believe those are the minister's words.

Can the minister tell us whether he thinks such increases do justice to his statement in the House on sensitivity and sympathy towards the needy of our province?

Hon. Mr. Drea: Mr. Speaker, I do not have to say it. I think the editorial comments across the province have confirmed that.

Mr. Boudria: Not the editorials in the cities.

Hon. Mr. Drea: Oh; just to put things in perspective, how much of a rate increase do you want? How much? Name it; come on.

Mr. Speaker: Address yourself to the supplementary, please.

Hon. Mr. Drea: I think it stands on the record. He dare not say what he wants because he knows what the bill would be and he does not want to go back home and say what it would be. One of the other things—and I am sure he did not mean to do this since he never means to do anything—is a large percentage of our family benefits recipients are institutional patients. Obviously, a five per cent increase to them does not have to take into account increased charges and so forth if they are in institutions for the developmentally handicapped, etc. Only 40 per cent of the family benefit case load in this province pays market value rent.

10:50 a.m.

There is a large institutional population in that case load. There is a very large Ontario Housing Corp. geared-to-income, subsidized housing population. Rents have not been a problem for them. Let us not get into the numbers game. What we wanted to do was to put the maximum amount of dollars and the

maximum amount of benefit to those who are living in the community facing community costs. For those who were not, there was the nominal increase.

When one puts it into perspective, it was done with great sensitivity, great financial acumen and has been responded to in a very positive way right across the province. If the honourable member were to go outside of the door and say he opposes it, or he wants a 15 per cent or a 20 per cent increase, then I suggest he talks to his own municipality before he makes the statement.

Mr. R. F. Johnston: In order not to offend the privileges of the members of this House, and certainly not to bore us all to tears with the bafflegab we are getting, I would rather give up my last supplementary and go to another question.

First, on a point of privilege on this, Mr. Speaker: Last week when I asked two leadoff questions to the minister, you indicated that it was a matter of the length of questions as well as the answers being the problem. I might indicate that is not the difficulty. There are very straightforward answers that can be given and they are not being given.

JOB CREATION

Mr. R. F. Johnston: Mr. Speaker, my question is to the Treasurer, and if I can I will try to work in my supplementary to the other minister in one of my supplementaries to the Treasurer.

Now that the first blush has faded from Mr. Lalonde's mini-budget, it is clear that by maintaining the lower marginal tax rates on the wealthy while extending their tax loopholes, Mr. Lalonde's budget, as the Globe and Mail has pointed out, benefits the rich and is hurting the poor.

What will the Treasurer do to redress that inequity? Is he willing to bring in the two per cent surtax we have been talking about on the wealthiest 10 per cent in this province and using the money gained from that to go to real job creation in Ontario?

Hon. F. S. Miller: Mr. Speaker, I listen a lot before I write a budget, but I seldom speculate much about what I might do. I think I should stay in that stance.

Mr. R. F. Johnston: I find this quite bewildering. Surely it is clear that the short-term job initiatives that we have just seen will be increasing the numbers of people employed in Ontario by only about 10,000 full-time jobs, a decrease of about 0.9 per cent in those that are already unemployed.

Given that the unemployment insurance exhaustee rate is going to be 16,000 a month by January, according to some projections, surely it is time for this minister to come through right now with some proposals for major job creation; and would not one of the best ways of doing that be to bring in that kind of surtax on 10 per cent of the wealthiest people in this province to create the $200 million which could then be put into job creation? Instead of delaying and waiting for the feds to do nothing, which it looks like they are doing, or at best only going to create less jobs over the next number of months, is it not time the Treasurer gave us some kind of announcement of his intention?

Hon. F. S. Miller: The tax is not necessarily a prerequisite for action. The point I made yesterday, following Mr. Axworthy's visit here, was that while I have what the opposition would call a budget out of control, one only has to look at their problems to realize how well we have managed ours.

In other words, what I am trying to say is, and I said it yesterday to Mr. Axworthy, that when he became specific with his dollars, subject to our liking the quantity of dollars and subject to our liking the program, we were there. Yesterday's meeting, I would say, was not one where I was given something to accept or reject. It was a meeting at which he asked if we were willing to prepare a joint co-operative program, and we said yes we were.

We said we had been waiting for those specifics, that we had no more than two weeks for those specifics but that we would work hard for those two weeks; and I would ask him to get all of us together, not just me but the other Ministers of Finance across Canada and other ministers of the governments involved, simply to make sure we were all in one room at one time and had a national program and could agree on it.

Time is of the essence, and I quite accept the member's statement. His money is not going to solve all the problems. It is only a step towards some of them. The real solution is not to take money from someone and give it to someone else; it is to create more for all of us.

Mr. Peterson: Mr. Speaker, why did the Treasurer not answer the honourable member's question the way it should be answered: by telling him it is a silly suggestion? The answer is that the minister could cut down on government waste and the silly expenditures he is making,

like Suncor, advertising and a lot of things, and free up a lot of money.

Mr. Speaker: Question, please.

Mr. Peterson: He is already freeing up hundreds of millions of dollars through the restraint program. In fact, if he added it all together in an emergency package he could put together in the order of a billion dollars to have his own program. Rather than just stand here and say, "We sent a telegram to the Prime Minister; weren't we wonderful?" or "We now request a meeting," rather than address the process; why does he not have some suggestions of substance to put before the people of this province that address the record cruel unemployment we are going to be facing this winter?

Hon. F. S. Miller: I am intrigued, Mr. Speaker, to think that in the member's two leadoff questions today he did not even think the problem of the unemployed was important enough to ask a question.

Mr. Mackenzie: Mr. Speaker, I wonder if the Treasurer has taken the trouble to read another paragraph out of the Globe and Mail story this morning. It says, "Even government officials acknowledge privately that Mr. Lalonde's move, by taking money from the pockets of consumers and the coffers of business, threatens to dampen rather than spur economic recovery."

Inasmuch as this is one of the major points made not only by this party but also by the many delegations before us on his restraint bill, does he not now realize that this kind of removal of further income from the pockets of people is not going to help us to turn this economy around? Does the suggestion made by my colleague that we look for some specific additional money to put into job creation programs not make some sense?

Hon. F. S. Miller: Mr. Speaker, I do not know when the honourable member is going to give up on his belief that money comes out of thin air. The idea that one can pay out massive amounts of money for unemployment insurance and not create it or borrow it somewhere is something the member has never accepted. Either one borrows it or raises it, or both.

That still comes out of consumers one way or another. The only difference is that in one case you have given a guy a note saying, "I will pay it back to you later with interest," and the other way you have taken it and said, "You don't get it back; you are paying for some of the costs now."

Look at the size of the national cash requirement right now. In the United States of America they are worrying about a $100-billion cash requirement. If we translated ours into theirs, it would be $250 billion by comparison. That tells us that the government of Canada has just about run out of places it can go. The well is dry in their case.

ENERGY RATES

Mr. Wrye: Mr. Speaker, I have a question for the Minister of Energy. The minister will recall my letter to him of October 7 pointing out that Union Gas, in setting the levels of payment under its current budget billing plan for its customers, has included in its increases from last year two rate increase requests not yet heard, let alone granted, by the Ontario Energy Board.

The minister will further be aware that J. E. Mahoney, who is vice-president of corporate affairs for that company, in a letter to him dated October 12 confirms my information, saying: "Mr. Wrye is correct in stating that this practice is followed." He then justifies it by saying it is necessary for a reasonably equal monthly system.

The minister in his reply to me failed to respond to my question, therefore, let me ask it of him now. Does he believe the practice of assuming rate increases not yet approved, given his government's pious pleadings about price restraint, is unjustified? If he does, what is he prepared to do about this gouging of consumers by Union Gas?

11 a.m.

Hon. Mr. Welch: I felt I had made it quite clear. In fairness, the honourable member has been in touch with my office to provide a reasonable period of time for the company to make its information available to both himself and to me. With respect, if there is some deficiency, and I thought we had handled all that in that particular reply, I will get some further information from the Ontario Energy Board because I feel all these matters would be supervised by that board.

Mr. Wrye: I would think the matter is fairly clear.

Let me deal with another matter which I have raised with the minister. If the minister has bothered to read the letter from Mr. Mahoney, he will be aware of the very interesting revelation that the monthly budget-billing cycle is a 10-month cycle. Given that fact and the fact that most calendars I have seen indicate that each year has 12 months, is the minister prepared to step in and insist that consumers who voluntar-

ily agree to this practice—and it is a practice of good budgeting—not be asked to line the pockets of this gas company by putting their money all up front in the first 10 months?

Will he demand that Union Gas, which makes adjustments to records depending on climatic conditions and a number of other variables, adds a new adjustment criteria which is that increases can occur only after requested rate increases have been heard and approved by the Ontario Energy Board? If he will not do that, will he simply admit that he views the board as a rubber stamp for such utilities and a buffer for the government to keep the consumer off its back?

Hon. Mr. Welch: I know the honourable member would want to be fair. When we sift through all of this, no one really has to be subjected to the equal-billing practice. I think it is set out in that particular letter that people who do not want to be involved in that sort of thing can opt out of that.

Mr. Wrye: So you would prefer that it go up so consumers get hurt. Is that what you'd prefer?

Mr. Speaker: Order.

Hon. Mr. Welch: It is a choice which the consumer has with respect to equal billing.

The second matter I think one should point out is that ultimately there will be a decision with respect to the rates of the board and the final decision would have to be blended in from the standpoint of any adjustment.

First, if anyone is concerned about the equal-billing procedure, they do not have to be involved with it.

Second, when decisions are made, those are the results which will be reflected in the adjustments that are made from time to time.

Mr. Swart: Mr. Speaker, does the minister not realize that equal billing is the only acceptable way of paying bills for many people who are on a tight budget? Therefore, he ought to be concerned about equal billing even though people have the option.

Does he not also realize that the proposed increases are related to the 4.4 per cent which Darcy McKeough has asked for? In effect, if the minister will admit it, that is going to be a 20 per cent increase in the return that Union Gas is going to get for itself. In view of this relationship, would the minister now get in touch with the Ontario Energy Board and tell them he will not permit anything like a 20 per cent increase in the return to Union Gas?

Hon. Mr. Welch: Mr. Speaker, the member will know that in response to a question on the Order Paper, I tabled my letter to the chairman of the Ontario Energy Board following the announcement of the inflation restraint program in the House by the Premier (Mr. Davis) and the Treasurer (Mr. F. S. Miller) on or about September 23. At that time I made it quite clear that it applied and at that time I enclosed, with the letter, the criteria that were to be applied by the board. As the member knows, the inflation restraint package does apply but also, in fairness, the member would have to understand there were certain costs that would be passed through over which we would have no control.

RESIDENTIAL TENANCY COMMISSION GUIDELINES

Mr. Philip: Mr. Speaker, to the Minister of Consumer and Commercial Relations: The minister will recall that in answer to my question yesterday on the obvious unfairness of landlords being able to pass through the financing of 85 per cent of the acquisition costs of a building to tenants, he said that the Residential Tenancy Commission and not the minister makes decisions about the guidelines.

Is the minister not aware that section 120 of the Residential Tenancies Act gives the minister the power to direct the commission as to the matters to be considered in determining rent increases? Why is the minister not prepared to use that authority under the act in order to protect tenants from the exorbitant rent increases that would be passed on to the tenants in the Cadillac Fairview buildings and that have been passed on to other tenants whose buildings have been sold?

Hon. Mr. Elgie: Mr. Speaker, yesterday and on Tuesday, when I spoke about giving serious consideration to various matters related to the rent review process and indicated that the commission, of course, had to make the final decision with respect to guidelines, I was assuming that the member understood it would be on my direction that they consider the issue, as the member has mentioned is set out in the statutes. That does not give me any problem.

Mr. Philip: The minister is at present wearing two hats, one as the minister responsible for price review and the other as the minister responsible for rent review. Since he clearly has the authority under the act to give directions as to guidelines, why, at a time of wage controls, does he allow a system that condones exorbitant rent increases, that allows foreign and domestic

speculation in the rental market and that allows tenants to buy, sometimes several times over, the buildings of their landlords? If he is not prepared to use his authority under the act, why does he not resign and move over for somebody who will do the job?

Hon. Mr. Elgie: I have already indicated that there are a number of issues under review and I would expect that matters the government considers to be legitimate will be addressed through that legislation. I have no intention of moving over or moving out. I hate to trouble the member with that bad news but here I am and here I will stay, thank you very much.

Mr. Epp: Mr. Speaker, the matter of building swapping has come up a number of times, in public meetings and in this Legislature. Can the minister give us a definitive statement about whether he has asked for a review on how much building swapping there has been in the last two or three years or since rent review started in 1975-76? If he has had a report on that, will he table it in the House?

Hon. Mr. Elgie: Mr. Speaker, I have not had a specific report. I know there are allegations of what is publicly called "building swapping." I do know, as does the member, that recently in a review application with respect to a property, I think it was on Davisville Avenue, the commissioner in that case deemed it was not an arm's-length and appropriate transaction and refused to allow the pass through of costs that were involved.

I would like to point to that as an example of the fact that the commission already looks at transfers of property. I also indicated yesterday that with the increased allocation of funding to the commission they will improve their capacity to investigate building transactions more thoroughly.

EMPLOYMENT IN SUDBURY

Mr. Gordon: Mr. Speaker, speaking as the member for Sudbury, a constituency about which we have now had three emergency debates in this House in which I have taken part, a constituency with the highest percentage of unemployment in the country if not in North America, a constituency that is eagerly awaiting some signs of hope to be forthcoming from Queen's Park and Ottawa, we have had it up to here with words and promises.

Everyone is very busy indeed meeting in committees behind closed doors, but what is the result. We want to know what the ministers, in particular the Minister of Natural Resources, are going to do about doing something concrete for the north and for Sudbury. We want to know about some of the short-term, medium-term and long-term programs that are being discussed behind closed doors. It is time for some of these job programs that are being looked at to be brought out so people can see them.

11:10

On Wednesday, the federal Minister of Finance, Marc Lalonde, pledged—

Interjections.

Mr. Speaker: Order. I would ask the honourable member to ask his question and not make any statements attached to the question.

Mr. Bradley: As long as he is criticizing the Treasurer, he can keep on.

Mr. Speaker: Order.

Mr. Gordon: On behalf of the people of Sudbury, I have to say that this is part of my question. On Wednesday, the federal Minister of Finance, Marc Lalonde, pledged $500 million over the next 18 months to create 60,000 jobs in Canada's worst economic areas. Has the minister met with Marc Lalonde, with Judy Erola and with Lloyd Axworthy to ensure that the area that has been hardest hit, not only in this province but in this country and in North America, is dealt with equitably? What is being done about the rest of northeastern Ontario? Has he any answers from these people?

Hon. Mr. Pope: Mr. Speaker, since the announcement about 12 days ago of permanent layoffs in the Sudbury area, the Minister of Labour (Mr. Ramsay) has been working with the companies, unions, and the workers in those communities to get in place some manpower adjustment plans.

The Minister of Colleges and Universities (Miss Stephenson) before and since that time has been working with the companies and the workers of the Sudbury community with respect to retraining and apprenticeship problems that could be created.

My colleague the Minister of Northern Affairs (Mr. Bernier) is chairing a cabinet committee that is getting together all the responses of the various ministries with line responsibilities. We in this government are working as hard as we can to come up with some ways and means of helping the people of the Sudbury community.

In addition to that, we have been working with the federal government through the Honourable Judy Erola, Secretary of State with

responsibility for mines, with Mr. Axworthy and with Mr. Lalonde's office through the offices of our Treasurer (Mr. F. S. Miller) and through my own office in an attempt to get a federal-provincial program in place. We have received messages from Mr. Lalonde and Mrs. Erola in the last two days with respect to the elements of a program which was discussed by the Treasurer and members of this cabinet yesterday in Toronto.

We have also received confirmation from Judy Erola that she is prepared, and I assume the government is prepared, to be flexible with respect to a continuation of temporary employment programs under section 38, which we put to the federal government last January, and the specific policy and projects which we outlined in terms of fisheries enhancement, parks improvement, conservation authority projects, forest improvement and mines rehabilitation. Those are programs of substance which we in this government under the leadership of our Treasurer and the Board of Industrial Leadership and Development committee, submitted to the federal government. They were the programs of substance.

Yesterday, I indicated that in response to the telex from the Honourable Judy Erola I laid out a 20-point program with specific projects designed for the Sudbury area and, indeed, for all of northeastern Ontario.

Those programs included intensive geological mapping and assessment and long-hole exploration drilling, involving drill parties and airborne surveys in modules of 40 people to provide long-term geological data, high potential sites and training experience as well as putting people to work, giving priority to the Sudbury basin in geological formation terms, and also to the geological formations between the Tri-town area of Cobalt, Haileybury and New Liskeard, and the Sudbury area.

We also indicated that we were willing to participate in an expanded unlimited underground storage development program in the Sudbury area to meet both industrial and government needs. One of the important proposals we also submitted was the use of underground storage areas with a constant mean temperature for tree nursery production.

We also indicated that we were prepared to look at an offshoot of our Ontario mineral exploration program to open up that program for existing mines, companies and individuals in prospecting and developing of new mine sites, which would use these laid-off workers, and that we are prepared to put our money into these programs in co-operation with the federal government.

We also indicated we were willing to get involved in industrial mineral exploration programs with silica in Sudbury, with dolomite in the Manitoulin Island area and with talc in the Tri-town area. These are just four of 20 specific projects that we have laid out to the federal government. We have indicated our flexibility in dealing with these kinds of problems for both the long-term and short-term benefit of the workers of the Sudbury community. That is more than I have heard from across the floor.

Mr. Epp: On a point of order, Mr. Speaker: This is obviously a real set-up by the member for Sudbury (Mr. Gordon) and the minister. The minister had his whole statement ready there. Why could he not have read that during ministerial statements rather than now?

Mr. Speaker: With all respect, I have to rule that it is not a legitimate point of order. The question, I think, is on a matter of urgent public importance. It is a matter that has been—

Mr. Kerrio: That gentleman did not even vote when the time came. He stayed out of the chamber. That is what he thought of Sudbury.

Mr. Speaker: Does the member for Niagara Falls have a question?

Mr. Kerrio: Yes, sir, I do.

Mr. Speaker: Then just hold it for a moment.

Mr. Kerrio: The Speaker should make up his mind.

Mr. Speaker: I am standing.

Mr. Kerrio: The member for Sudbury stayed out of the chamber.

Mr. Speaker: Order. I think the question was of urgent public importance, and of such importance not only to the people in the area that was mentioned but to the whole province. It is a matter that has been debated, as all members know, on three occasions in this House.

Mr. Peterson: The Speaker said it was not of urgent public importance for an emergency debate.

Mr. Speaker: That was my opinion and the House overruled me.

Mr. Peterson: Today it is not.

Mr. Speaker: I am reflecting the decision of the House. Without taking any more time, the member for Sudbury has a supplementary.

Mr. Gordon: Mr. Speaker, I would have to

agree with my colleagues on the other side that the issue is—

Interjection.

Mr. Speaker: Order. The member will resume his seat. I will have to caution, with great regret, the member for Niagara Falls, that I will not put up with any more interjections.

Mr. Gordon: As has been stated many times in this Legislature by my honourable colleagues, the issue we are faced with in this province, and in northern Ontario, of course, is one of jobs. There is a problem that has come to my attention, particularly in Sudbury, but it is a problem that all unemployed people, I understand, are facing in various degrees across the province.

Mr. Speaker: Question, please.

Mr. Gordon: This is the question. Some of the people of Sudbury are being told by the Canada Employment and Immigration Commission in Sudbury that they are disqualified from being considered for jobs under section 38 because they are not laid off miners from Inco or Falconbridge and, therefore, they are not eligible. There is resentment building in the community over this. I understand that it is something that is going on in other parts of Ontario as well.

Mr. Speaker: Question, please.

Mr. Gordon: The question is this. There are unemployed people in Sudbury, and in northern Ontario, who are not organized and are not—

Mr. Speaker: Order, please. With all respect, I would ask the member for Sudbury to phrase his question, "Is the minister not aware?"

Mr. Gordon: I do not think he is aware of the question, but I hope he has an answer. Is the minister prepared to address himself to the fact that unemployed workers who are not necessarily related to the mining and smelting field are being denied jobs through either bureaucratic red tape or a complete and utter misunderstanding and incomprehension of the programs that have been worked out between the province and the federal government? I want an answer to that.

Hon. Mr. Pope: Mr. Speaker, Mr. Axworthy indicated yesterday that he was prepared to expand the program, including a change in terminology. I have to say, yes, we did target on the unemployed miners. We also targeted on the unemployed bush workers earlier on in the program when we were originally devising some of the land reclamation and mining rehabilitation projects that required their skills in order to accomplish them. But after the first two programs in forestry and mining, the other programs for conservation projects, for fisheries enhancement projects and for parts improvement projects, were all designed for anyone who was in receipt of unemployment insurance benefits. I do not think there is any limitation, statutory or otherwise, on anyone qualifying for those projects.

11:20 a.m.

On top of that, in the agreement between the province and the federal government there was no reference to the fact that one had to be an unemployed miner or an unemployed forestry worker in order to qualify for even the original two programs.

Mr. Van Horne: Mr. Speaker, I cannot help but observe that the Treasurer (Mr. F. S. Miller) was a little critical of the fact that there were no questions on employment, yet the same criticism could be made of the member for Sudbury for what I would consider a bit of a phony approach to a very serious problem.

Mr. Speaker: Question.

Mr. Van Horne: If it is that serious, the minister should have made a statement, and I want to ask the minister, given the slowness with which the government has moved—

Mr. Gordon: On a point of privilege, Mr. Speaker: I do not believe the member opposite, who is the Northern Affairs critic for the Liberal Party, could possibly think that the member who represents a riding that has 32.9 per cent unemployment should not get up and ask a question about what is happening to those Unemployment Insurance Commission people and what is happening in creating jobs. I think that is a terrible intimation on his part. It shows he does not know anything about the north and should not be the Northern Affairs critic.

Mr. Van Horne: Mr. Speaker, my question to the Minister of Natural Resources is the question that should have been asked all along. The government's planning process is so slow that the people who are in very severe financial need right now will not get to those jobs until early in the new year at the rate they are going. What emergency plan does the minister have to accommodate those people who no longer qualify for unemployment insurance and who may be having difficulty getting any form of welfare assistance? What emergency plan does the minister have to meet the needs of those

thousands of people in Sudbury and the Sudbury area?

Hon. Mr. Pope: Mr. Speaker, I am sorry the member is not aware of the content of public meetings that are going on in the Sudbury area. One of the major items of discussion has been what is called a rollover provision. This is because, after a worker's unemployment insurance benefits run out, he has to requalify for an additional 10 weeks, so we have been working with the federal government and our BILD ministry to design a program—

Ms. Copps: Roll over and play dead.

Hon. Mr. Pope: Play dead? The member opposite has not even talked about the Sudbury area. What would she know about it? Her only input in this House has been to suggest that, because I referred to a telex, somehow it is a setup that I read a text. That is how much she knows about the whole situation. And she does not even know about a rollover provision the federal and provincial governments have been working on for the last four weeks to try to meet exactly that question. Why does she not go up to Sudbury and find out what is going on?

Mr. Wildman: Mr. Speaker, I will not treat this matter as trivially as some other people in this House. The minister has read out a statement on proposed actions for short-term and long-term employment in the Sudbury basin. Will he share that information, as the member for Sudbury suggested, with the local members and with the members of this House on the price tag for those proposals, the amount of money the provincial government is prepared to put in, and how much it is asking for from the federal government?

Hon. Mr. Pope: Mr. Speaker, I did not read a prepared statement on a program for the Sudbury area; I read parts of a telex that I sent yesterday. I indicated in the telex some elements of specific subject area projects in order to start the process of negotiation of both interim, or short-term, and long-term funding with respect to both salaries and capital contribution from the federal government.

At the same time, the Treasurer was meeting with Mr. Axworthy to discuss the elements of an umbrella program. At this time, we are not satisfied that the elements of the umbrella program involve any more than salary dollars for short-term or medium-term projects.

What we are trying to indicate and what we tried to indicate in the telex to the federal government is that we think it has to go beyond that if we are to have some long-term strategy and projections in place that will benefit the Sudbury community in terms of permanent employment.

My staff was in Sudbury yesterday to meet with union and regional municipal representatives. This is not an exhaustive list by any means, but as soon as their ideas are pooled into a certain number of projects that everyone can accept as necessary, then the terms of the financing will be worked out.

In the meantime, the Treasurer is trying to work with the federal Employment and Immigration minister, Mr. Axworthy, on elements of a whole package program that all ministries of the government can be involved in. Until that is worked out, I cannot give an answer to the question.

Mr. Speaker: The time for oral questions has expired.

Mr. R. F. Johnston: On a point of privilege, Mr. Speaker: Would it be possible for you to issue to all members of the House a list of interrogatives, such as how, when, why, where, and is the minister aware, and that kind of thing, so a question might be posed at some time during the statements?

MOTION

HOUSE SITTINGS

Hon. Mr. Wells moved that since Thursday, November 11, is Remembrance Day, when this House adjourns on Tuesday, November 9, it stand adjourned until Monday, November 15, but this motion will not affect any committee meetings scheduled for Wednesday, November 10.

Hon Mr. Wells: The importance of the last thought in that motion is that the committees that meet on Wednesday, November 10, will decide themselves whether they will be meeting on that particular day.

Motion agreed to.

INTRODUCTION OF BILLS

JUDICATURE AMENDMENT ACT

Hon. Mr. McMurtry moved, seconded by Hon. Mr. Wells, first reading of Bill 183, An Act to amend the Judicature Act.

Motion agreed to.

Hon. Mr. McMurtry: The purpose of this bill is to provide a greater flexibility in pursuing our course of extending the right to the use of the French language before the courts of our prov-

ince. This amendment would permit the designation of courts sitting in areas outside the designated towns and districts for the purpose of proceedings in both the English and French languages.

As honourable members are aware, we have made very significant strides since the original legislation was given unanimous approval of the House in 1978. I am grateful for the support that has come from all sides of the House. We must not lose sight of the importance of the steps we have taken to date and of their national dimension.

Part of this process has involved and continues to require the building up of resources to provide for greater access by Franco-Ontarians to justice in their own language. It is desirable to be able to extend such services to areas not presently served as soon as we have established the resources without waiting for the time when a full range of services is available.

I trust all members of the House will continue to support these objectives and will give quick approval to this bill.

Mr. R. F. Johnston: On a point of order, Mr. Speaker: I trust the statement, which cuts off at the top of page 2, will have added to it a paragraph or so indicating that section 133 soon will be accepted by the government. In fact, we are almost there now, are we not?

11:30 a.m.

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, MANAGEMENT BOARD OF CABINET

Hon. Mr. McCague: Mr. Chairman, I am pleased to present the 1982-83 estimates of Management Board of Cabinet. In my opening remarks I intend to focus on our continuing efforts to meet the challenges of managing the corporate enterprise in these difficult times to ensure the highest level of service to the public is maintained at least cost.

Mr. Carman, my deputy, is in the background; as is Mr. Scott, who I have today appointed as acting chairman of the Civil Service Commission in the absence of George Waldrum. Unfortunately, Mr. Waldrum has been in hospital for the past six weeks undergoing tests and treatment for a back problem. I am sure we wish him a speedy recovery.

I will review the programs of Management Board and outline the directions being taken by the Management Board secretariat and the Civil Service Commission in improving the management of the government's financial and human resources.

There is no doubt that the complex demands of the 1980s are posing new challenges for government administrators. Changing economic circumstances and heightened public pressures are requiring adjustments in government direction. Management Board is responding by monitoring and revising our priorities and objectives wherever necessary.

During the past year we have worked diligently to further improve management control, accountability and performance measures. Our aim is to increase the focus on results obtained from resources expended. Improved results can be achieved only through a dedicated staff. Once again, I wish to express my appreciation to the public servants who so capably deliver the programs of this government.

As an indication of our commitment to productivity improvement and accomplishing more with less, I want to provide the members with some updated statistics resulting from the government's manpower control policies. Over the past seven years the number of public servants has decreased by 5,283 persons or 6.1 per cent, from 87,109 in 1975 to 81,826 as of March 31, 1982.

These results are all the more impressive in that they have been achieved in the face of pressures for more services from a growing population and despite several new initiatives undertaken by the government in such areas as tax grant programs, the senior's secretariat and the youth employment counselling program.

I might point out that in keeping with our general constraint policy, all levels of the service have been subject to manpower controls, including the executive ranks. As of September 1982, there were 596 executive positions in the service, a net reduction of 93 positions since the controls were introduced in January 1976, or a 13.5 per cent reduction. These manpower reductions reflect the government's continuing commitment to increase efficiency in the use of human resources throughout the Ontario public service.

Ontario's record of prudent fiscal management is documented in the 1982 Ontario budget. For the first time in the past six years, the rate of growth in provincial spending has exceeded the rate of growth in the economy. However, our continuing policy restraint has earned for us the required flexibility to accommodate the current difficult economic conditions without putting our financial position in jeopardy.

We remain committed to a policy of restraint. The Treasurer (Mr. F. S. Miller) has served notice to all recipients of provincial funds that they should not count on future funding at or above inflation rates. We are asking those in charge of public programs funded by the taxpayers to find ways to become more efficient.

Certainly the Ontario government has demonstrated its performance with our internally run programs. However, more than 70 per cent of all our provincial spending is through transfer payments to local governments, institutions and individuals. The inflation restraint program announced by the Premier (Mr. Davis) on September 21 will assist in reducing the impact of inflation on these programs.

Recently, Management Board secretariat initiated new expenditure control strategies for 1982-83. These strategies are designed to further strengthen the government's expenditure management process. As in previous years, Management Board will pay particular attention to the cost implications of policy and program changes prior to consideration by cabinet for approval in principle.

The secretariat staff will undertake a number of initiatives designed to reinforce the value-for-money approach and to increase control over the cost of transfer payment programs.

Management Board has also approved several new expenditure policies to increase its control over spending. For example, a reallocation of funds within the ministry may be permitted for program changes only where future year costs can be funded within the ministry's expenditure allocations. Also, a differentiation has been made between savings resulting from increased efficiency and those resulting for other reasons.

As an incentive to program managers, savings from innovative program design or more efficient management are made available to the ministry responsible. On the other hand, fortuitous underspending may be constrained by Management Board and reallocated to meet urgent priorities or expenditure problems.

I have asked each ministry to ensure that its internal processes and policies will support the effective implementation of these strategies.

A continued emphasis on fiscal restraint will require ministries to set priorities and make tradeoffs between existing programs and new initiatives. To give this objective even greater emphasis, cabinet recently established the policy and program review process. This review process is aimed at creating some critical corporate flexiblity by permitting the redirection of scarce resources to needed new programs or to the enrichment of existing programs.

To achieve this aim, the review will involve the evaluation of both the relevance and priority of selected programs in all ministries and the identification of those program and policy changes with the potential for expenditure reduction and greater efficiency in their delivery.

Mr. Boudria: Does that include advertising?

Hon. Mr. McCague: Yes.

The savings thus realized will permit a reallocation of resources from lower-priority areas to higher-priority areas.

Although ministries individually have the primary responsibility for carrying out this review of their policies and programs, a small team has been established within the Management Board secretariat to co-ordinate the project and to provide them with advice and assistance.

We anticipate that through this process we will further improve the efficiency of existing programs and, at the same time, create the necessary flexibility to cope with expanding work loads and emerging problems.

I want to outline some of the major projects undertaken by Management Board secretariat on behalf of the board to assist government managers to meet the administrative challenges of the 1980s.

This government, over the years, has developed a reputation for good management in the public service. Officials from the federal government and many of the other provinces continue to call on us for advice on management techniques and practices. We continue to strive, however, to improve our management methods for delivering our services at lower costs.

Mr. Nixon: You mean you get select committees from Australia visiting here. The select committees from Australia come here to ask how to do it, while their poor taxpayers put them up at the Plaza II.

Hon. Mr. McCague: The honourable member visited with them, did he not?

Mr. Nixon: What is this stuff about people coming from all over the world to find out from you how to run things?

Hon. Mr. McCague: I am not sure; is there a bit of mist on my friend's glasses? I do not note that in what I just said.

The management standards project is one these key management improvement issues. It

has used the approach of bringing together ministries—

Mr. Cassidy: Mr. Speaker, on a point of order: Given the importance of what the minister has got to say about the efficiency of administration and so on, is there a quorum in the House?

Mr. Chairman: What? A quorum? Rats. There is no quorum.

Mr. Chairman ordered the bells to be rung.

11:44 a.m.

Hon. Mr. McCague: Mr. Chairman, the management standards project is one of these key management improvement initiatives. It has used the approach of bringing together ministries and managers to reinforce the principles and practices of good management, which we all know are important to an effective public service.

Two factors make the management standards project different from past management improvement initiatives. The first is the effort to ensure that managers across the public service are able to adapt to the rapidly changing environment of the 1980s. Financial restraint, greater emphasis on accountability and value for money, and the impact of new technology are all factors that are causing our managers to sharpen existing skills and develop new ones. The management standards project is bringing managers together to share experience and develop new approaches for responding to this changing environment.

Second, while the basics of good management on which the project is focusing have not changed, the approach it is taking is entirely new. The management standards project is based on the involvement and participation of ministries in setting the individual standards for ministry management processes. As well as developing standards co-operatively, the do-it-from-within approach of the project includes sponsoring participation in conferences and seminars for sharing information and experience on management.

Mr. Boudria: Does that include the computer seminar?

Hon. Mr. McCague: Yes.

Mr. Wildman: They told us it would be cheaper than flying all those civil servants to the Bahamas.

Hon. Mr. McCague: Quite a bit.

The efforts of the management standards project, of course, complement the training and development efforts of the Civil Service Commission and ministries. With the enthusiastic support and involvement of literally hundreds of ministry and central agency staff, the management standards project has co-ordinated a number of key management initiatives and events.

Discussions with government executives were held to define the challenges and opportunities facing government managers today. The Managing in the Eighties conference in June 1980 brought together ministers, deputy ministers and executives to consider these issues and set the co-operative tone for the project's work. The Ontario's Management Philosophy brochure was developed through the input of staff from all levels throughout the government.

An inventory of management processes in use by ministries was developed for the purposes of information-sharing between ministries. The Inventory Showcase in 1981 provided a focus for demonstration and dialogue on these processes. Last November, the Performance '81 conference, attended by approximately 1,700 managers at all levels, provided an opportunity for managers to exchange ideas and experiences, attend workshops and view presentations on the new management techniques and technology. Audio-visuals introducing and explaining Ontario's management philosophy and the new role of internal audit have been produced and distributed to ministries for their use.

The project has begun co-ordinating the development of publications through interministerial working groups and has published process standards in the areas of operational planning, budgeting, reporting priority planning and resource allocation, and internal audit.

Ministries already have begun to apply the standards that have been published to date by seeking to refine their management processes in relation to the standards. As indicated earlier, the standards outlined in the various publications are intended to be used as goals for ministries to improve their management processes over the next several years. The standards are not intended as minimum standards against which ministries should be immediately audited. In effect, the management standards represent a consensus among the ministries and central agencies of what is worth working towards over the next several years in improving management processes.

This current fiscal year should see the completion of much of the planned work for the

management standards project and the launching of our implementation plan. The remainder of the standards publications will be completed, including booklets on performance management, human resource planning, policy development and strategic planning. In addition, the project will complete the series of brochures that describe management initiatives, principles and responsibilities, to provide an overview of the management in the Ontario public service.

The completion of the publication series is being complemented by communications mechanisms, including the project's Managing Together newsletter, the Managing in the Eighties series in Topical, a number of management seminars and further audio-visual presentations. A special issue of Managing Together will be made available to members to give some of the details of our implementation plan.

There are several aspects of this program I would like to mention. First, in keeping with the principle that a deputy minister is responsible for ministry management, each deputy and his staff will be developing a three-year implementation plan, designed to improve management practices, where necessary, in relation to the standards.

Management standards staff will be available to advise ministries but, by and large, the responsibility will be with each deputy minister. Many of the deputies have been involved in the development and review of the standards, as have their staff, and have shown a great deal of enthusiasm in management improvement.

11:50 a.m.

Second, to ensure an appropriate corporate awareness during this period, it is proposed that deputy ministers will be discussing their implementation plans and progress with the Management Board on an annual basis. To fine-tune our implementation plans, the secretariat staff will be working with three ministries this fall on a pilot project. We then plan to extend the process to all ministries when a suitable approach has been developed. The secretary of Management Board and the Provincial Auditor recently addressed the deputy ministers' council to discuss the details.

The third aspect of our planning is management education. As the processes are improved or implemented, managers will require new and refined skills to deal with changes. Through co-operation between the Civil Service Commission and ministry training branches, managers' needs in this area will be addressed.

One area that has received considerable attention in management improvement is the new focus on value-for-money audit.

The government has adopted an advanced form of internal auditing which goes beyond the traditional financial audit process to include the auditing of both financial and managment controls. Management controls are those concerned essentially with value for money and accountability.

This change makes the auditors key members of the management team. They test the quality of vital control information and report directly to the managers and the deputy minister. This ensures that the controls so essential to our value-for-money and accountability efforts are regularly evaluated and improved as necessary.

While we are proceeding with vigour, the introduction of this advanced form of auditing will take time. Changed perceptions on the part of both auditors and managers are necessary as is the development of the requisite auditing capability. Fairly lengthy periods of time may be required to accomplish these objectives.

While the major responsibility for implementation rests with the ministries, the Management Board secretariat, in close co-operation with the internal auditors' council, the Ministry of Treasury and Economics and the Civil Service Commission, provides necessary support.

The following initiatives have been completed or are under way: a study of training and development needs; a brief brochure on comprehensive auditing from a manager's perspective and a complementary videotape; a reference document describing the internal audit process, including standards to be eventually attained; the establishment of an interministerial task force of senior officials to identify the various alternatives for the auditing of transfer payment recipients; and the promotion of exchanging audit techniques amongst ministries.

Complementary to its support role, the secretariat monitors the progress being made on the recommendations of the task force on audit policy.

I should point out that the direction established by the government for the development of the internal audit function is completely compatible with that recommended by the Provincial Auditor in his 1979-80 annual report. Thus, the attainment of this new type of auditing should allow the Provincial Auditor to place increased reliance on the findings of internal audit branches. In turn, this should lead to the more efficient use of scarce audit resources.

Another project which I talked about during

our last year's estimates presentation centred on improving the managing-by-results approach to program management. MBR, as it is commonly called, is the basic style of program management which places equal attention on results and resources.

Management Board introduced managing by results in 1973. There has been a phased implementation to the point where almost all operating expenditures now are covered. The current challenge is to refine this approach further so that it becomes fully integrated in all management processes. To meet this challenge, Management Board set up an MBR improvement team in August 1981 to assist ministries to increase their results orientation.

Over the short period it has been in operation, the MBR improvement team has undertaken a number of initiatives. At first, the team refined the concept of MBR as it relates to the Ontario government. This was an important step to ensure consistency with the evolving body of knowledge that is being developed in the area of program performance measurement at all levels. As part of its work in updating the concept, the project team has developed an improved framework within which program results, for most programs, can be described.

In addition, the MBR improvement team has issued a publication, Manager's Guidelines to Managing by Results. This guide summarizes for managers at all levels the managing-by-results concept and how it can be effectively applied.

Currently, the team is involved in an intensive training effort which is being enthusiastically received by both ministries and central agencies. This educational program is designed to reinforce managers' understanding of the MBR concept and its application, and to provide ministry analysts with the skills necessary to assist program managers in improving the results orientation.

As part of the effort, greater emphasis will be placed on results in ministries' periodic reporting of program performance to the board. The annual deputy minister report to the board, referred to earlier, while based on results achieved by the ministry, will also afford an opportunity to the deputy minister to not only respond to issues identified by the secretariat but also discuss the particular conditions facing the ministry. As mentioned previously, the format of these reports will be finalized on the basis of experience gained with three pilot ministries this fall.

Because of Management Board's continuing emphasis on a results-oriented approach to management, Ontario is a leader in its ability to review program performance in the public sector.

The effective administration of agencies continues to be of prime concern to the government in general and to Management Board in particular. The Ontario government relies on its 280 agencies for advice on a wide range of issues and for some program delivery and control.

All advisory agencies are subject to a sunset review process to determine whether they continue to play a meaningful role in the operation of the government. During the fiscal year 1981-82, 39 agencies were reviewed, six were eliminated, two were merged and the remainder were continued for a further period of time. Twenty-one agencies are scheduled to be reviewed during 1982-83.

In addition, the operational and regulatory agencies that are closely related to the ongoing operations of the government are required to prepare and adhere to a memorandum of understanding. The memorandum clarifies the respective roles and responsibilities of the minister to whom the agency is responsible and the agency itself. It also establishes the necessary financial controls and administrative mechanisms.

The memorandum of understanding has become an important method of establishing an appropriate government-agency relationship. It is proving a very useful administrative tool to ministries considering the agency structure to carry out new government programs, such as the technology centres, and agencies operated at arm's length, such as the Art Gallery of Ontario.

In the area of privatization, we are continuing our efforts to identify government activities which can effectively be carried out by the private sector.

Mr. Boudria: Suncor in reverse.

Hon. Mr. McCague: See the latest annual report.

During the past year, we worked with the Ministry of Agriculture and Food and the dairy industry to establish a private, nonprofit corporation, controlled by the dairy industry, to run the dairy herd improvement program. As a result, the program will be directed by those it

serves and can grow and expand in proportion to the investment they are willing to make.

The government's financial contribution will remain the same, but our staff levels have been reduced and our costs will shrink over time. We will continue to seek opportunities such as this to transfer programs to the control of the private sector wherever this can be done effectively.

The use of government procurement as a tool to stimulate Canadian manufacturing and research capabilities continues to be an important concern. Two years ago, the secretariat and the then Ministry of Industry and Tourism initiated work on a study of our current purchasing policies and practices. In doing so, we wanted to ensure that the goods and services which support government programs continue to be acquired and managed in an efficient, effective and economical manner. We also wanted to determine how we could further increase the effectiveness of government purchasing as an industrial development tool.

The first phase of the study focused on purchasing procedures. It aimed at facilitating suppliers' access to government business by such mechanisms as greater use of standard purchasing forms and procedures and more information to vendors about the government's purchasing opportunities.

The second phase of the study is currently examining ways of increasing the use of government purchasing as an industrial development tool. The Ministry of Industry and Trade, given its expertise in industrial development, is taking the lead during this phase of the study.

Expanding the parameters of traditional purchasing to address industrial development objectives is a complex area, but I am confident the results of our study will be a government purchasing system which continues to be responsive to the needs of the business community and economic interests of Ontario and Canada.

12 noon

A review of our corporate management initiatives would be incomplete without mention of the role that technology plays in contributing to effective and efficient administration. The Management Board has established a number of policies dealing with the acquisition, use and control of information technology. These policies were established to provide consistency, probity and efficiency in the utilization of information technology resources.

Productivity has always been of primary concern to this government. We have continually increased our service level to the public while constraining the size of the civil service. Our most promising weapon in the fight for increased productivity and program effectiveness has been information technology in the form of modern, cost-effective computers, well-designed systems and a highly skilled staff of data processing professionals.

At Management Board, our policies are specifically designed to encourage the effective use of information technology in the delivery and management of ministry programs. Ministries must demonstrate through a rigorous business case and a cost-benefit analysis that they are making appropriate use of information technology before any approvals are given by the board.

The board has been extremely diligent in ensuring that all such high-technology proposals make good business sense. We have been going back to basics and asking ourselves if the project or program in question should be undertaken at all, before we examine the merits of any technical solution.

In the 1950s, the government of Ontario was one of the first to employ computers in the delivery of its programs. Since then our total investment has grown substantially and our leadership position has strengthened. Our expenditure this year will reach a high of $130 million, which includes all aspects of systems development, hardware procurement, software and operation.

This represents a 20 per cent increase over the previous year, which may seem like an unusually high rate of growth in a time of constraint. A more careful examination shows that government managers are shifting from low-productivity manual systems to high-productivity computer systems in response to our demands to do more with less.

Our information systems expenditures this year will amount to about three per cent of the government's total expenditures, excluding transfer payments. This is in line with most large modern corporations. Compared to the other provinces, our annual systems investment is second only to Quebec's, but if the same data are examined on a per capita basis an interesting fact emerges.

With the exception of the maritime provinces, Ontario spends about 50 per cent less per capita on information processing than the other provincial governments. This is mainly because of our larger population which permits economies of scale, the fact that many other provinces

are investing heavily in systems Ontario has already implemented and to our highly skilled and experienced staff resources.

Our accomplishments to date have been many. We have reached a level of proficiency in information systems of which we can all be proud. However, we recognize that this is not enough. We have recently introduced all our managers in government to new technologies which will have a profound effect on how they will do their jobs in the future.

Information technology is no longer the concern of a small group of technocrats. It has become a major concern to deputy ministers and their senior staff. At Management Board, we are committed to ensuring that appropriate training and education is made available to senior managers to better equip them to enter this new era.

Recent visible examples of the new era include the province's use of videotex for Teleguide, using the Canadian developed Telidon system. An example is the Ontario data network which is in the second year of a five-year implementation program. In addition, we have a number of pilot automated office projects.

The challenges ahead include new policies in the area of the procurement of data processing consultants, the use of distributed data processing, a new standard for systems development and a number of changes in our telecommunications policy.

We are very much aware that the new technologies not only will introduce fundamental changes in our management process but will also have profound effects on our human resources and organization structures. We will address these issues through the continued efforts of the technology directions committee. This committee was established in 1981 to provide executive-level input and commitment to the examination of corporate information technology strategies. Chaired by the secretary of Management Board, this committee of deputy ministers meets regularly to consider the direction and priority of information technology development in the Ontario government.

This new thrust is reflected in the Management Board estimates before the House. A technology opportunity fund with an allocation of $1.6 million in fiscal year 1982-83 is proposed. Allocations from the fund would be available to ministries to provide all or part of the capital investment required for information technology projects with significant corporate benefits.

Mr. Nixon: You are going to have to interpret this some time.

Hon. Mr. McCague: What are you doing for lunch?

The technology directions committee has identified the criteria that must be met before it will consider any ministry proposal for funding. In general, the fund is intended to stimulate the productive use of new information technology solutions that are innovative, high risk, have significant Canadian content where possible and are of benefit to senior management in the administration of their programs.

Standard operational data processing projects are not considered suitable for funding from the opportunity fund. It should also be noted that Management Board must still approve all of those projects recommended by the committee before ministries can commence work and before funds are made available.

Information technology is one of the few resources today that actually cost less to purchase than they did in the past. Machines of 20 years ago costing $1 million can be replaced today with small microchip-driven computers costing a few thousand dollars. Complex programming languages are being replaced with English-like end-user languages, which permit even children to use computers effectively. A wise investment in this technology will greatly improve our efficiency and effectiveness in years ahead.

At Management Board, we continue to encourage ministries to use the new technologies in an innovative manner. We will also insist on an appropriate return on our investments, high-quality strategic and tactical planning, senior management involvement and the development of corporate standards.

Mr. Nixon: You have it all pretty well covered there.

Hon. Mr. McCague: That covers it pretty well?

Another important area with increased emphasis both within government and in the private sector is records management. Information management improvements are an important contributing factor to enhanced productivity and program delivery. Ontario's policy on records management, as set out in the manual of administration, was reviewed in 1981 to provide enhanced strategic direction for the effective management of the government's records, manuals and forms.

Details of the policy proposals along with

anticipated future technological changes that will impact on records management were discussed with many groups inside and outside the government. The revised policy will be issued in the new fiscal year through the Ontario manual of administration.

In 1982-83, a review of office automation policy requirements is being initiated. It is expected that the policies will encourage office automation projects that provide productivity improvements, minimize duplication of effort and recognize the social and economic implications.

In keeping with the Ontario government's commitment to reduce the burden of record-keeping for businesses in the private sector, I outlined a project on statutory and regulatory records retention requirements during last year's estimates review. I am pleased to report that this project has been an outstanding success.

In December of last year I tabled for my colleagues in the House, A Guide to Statutory and Regulatory Records Retention Requirements for use in the private sector. The guide was developed over the past year with the participation of ministries and with the keen interest of and advisory assistance from a number of private sector associations.

In order to reduce the burden of government record-keeping requirements on businesses and organizations, ministries specified the length of time records required by legislation were to be retained or they deleted the requirements to maintain records altogether. Before this project was initiated, over 20 per cent of these requirements were clear. Now approximately 70 per cent of these legislative record-keeping requirements are clear and specific.

In fact, the Financial Executives Institute Canada, a participant in this project, has used our experience in the project as a model for other provinces. They recognize the quality of our results and the significant benefits to them as one measure for reducing government's record-keeping requirements.

12:10 p.m.

I would like to stress that all these activities, as well as other initiatives, have been authorized by the board and undertaken by the secretariat to improve the methods of administering government programs during a period of continuing financial and manpower restraints. The economic conditions we have experienced over the past few years have demanded some fundamental shifts in attitude and approach on the part of both ministries and civil servants. These shifts have occurred rapidly across the system, and I have been impressed with how well the current imperative to accomplish more with less is understood by management. The coming years will continue to challenge their creative and innovative abilities.

I would now like to discuss some of the projects undertaken by the Civil Service Commission. The commission is largely responsible for personnel matters within the government. It reports to me through its chairman Mr. George Waldrum, or, as is the case today, acting chairman Mr. Scott.

Earlier in my statement I talked about the trend towards cutbacks of civil service positions in terms of aggregate numbers. I would like to make it clear that this cutback is being achieved through good management techniques rather than through insensitive and indiscriminate cuts. For example, new programs are being introduced from time to time by my colleagues in various ministries. These programs require additional staff.

But, at the same time as new staff is required, we are encouraging and demanding of ministries that staff cutbacks and changes be made in other areas. This can be done through attrition or through re-evaluation of programs which may no longer have priority status.

It is through good management of financial and human resources that new programs can be introduced while at the same time achieving an overall reduction in the total number of provincial public servants in Ontario. Moreover, this achievement is receiving some public recognition. For example, I recently heard a financial commentator on a Toronto radio station indicate with some considerable satisfaction that in Ontario the population served per public service position has increased from 94 to 106 between March 1975 and March 1980, based on the estimates outlined in the Treasurer's budget in May.

Bill 179, the Inflation Restraint Act, was introduced to the Legislature by the Treasurer (Mr. F. S. Miller) on September 21, 1982, and has the effect of restraining public sector compensation for a one-year period. This restraint program includes the Ontario public service and will apply to public servants who are represented by the Ontario Public Service Employees Union as well as public servants who are excluded from bargaining.

Since all salary negotiations in the public

service were completed prior to the introduction of Bill 179, the negotiated increases for 1982 will not be affected. However, effective January 1, 1983, the salary agreements are extended for 12 months and compensation rates will be allowed to increase by five per cent for the calendar year 1983. The working conditions and employee benefits collective agreement, applicable to the entire public service, will also be extended to December 31, 1983.

Mr. Cassidy: Have you no feelings of bad faith, no feelings you have let the civil servants down, no feelings of irresponsibility?

Mr. Chairman: The time will come for your interjections in due course.

Hon. Mr. McCague: The bill does not prevent OPSEU from bargaining on such matters as the mix of money and benefits, as long as the result does not increase compensation rates by more than five per cent. Nor does the bill prevent negotiations and ongoing discussions on non-monetary items within the scope of bargaining.

Cutbacks in staff and general restraints have made even more important the active involvement of the Civil Service Commission in developing innovative policies and programs for the staff of the Ontario public service. I am sure there is no need to expand on important programs that I have talked about in past statements, such as career counselling, performance appraisal, and staff relocation and training programs.

Each year the annual report of the Civil Service Commission highlights these activities. I do not propose to repeat them at this time. I would commend to the attention of members the 1981-82 annual report which was tabled recently. In the meantime, I would like to mention some of the work that has been accomplished during the past year.

I recently asked staff in the commission to supply me with a quick list of what would be called achievements and within a few days I obtained a list of 108 items. Granted, many of these items could be interpreted as daily work projects or ongoing projects in the commission. However, I believe it is important that the House should be aware not only of new initiatives but also the range of ongoing day-to-day programs and operations.

Some of these day-to-day achievements are as follows: A policy was issued on employee orientation to ensure that all new employees are apprised of their rights, entitlements and obligations; a set of equal opportunity guidelines was issued for the use of ministries in the hiring of handicapped job applicants; the need was eliminated for a large number of letters and documents previously required to effect the delegation of the classification of positions; a process was developed to deal with those surplus employees that can result from changes in government facilities or programs; a plan was implemented to delegate to ministries the provision of training programs in the staffing process; ways were developed to enhance performance appraisal in the Ontario public service; and the establishment of a joint management-union committee was approved to direct, on a trial basis, a series of employee assistance programs in selected ministries.

When we extend this list to more than 100 items of achievement, both large and small, we can see that the commission has had an extremely productive year.

Another focus of the Civil Service Commission's activity has been the provision of a number of special courses to individual ministries and the managers of government programs. It is important in times of financial restraint and reduced staff to recognize the necessity of training to upgrade the staff to achieve increased productivity. Moreover, we need to ensure that all training is relevant to the operational needs of ministries and the career development of our employees. To this end, the commission is constantly considering areas for improvement.

It is all well and good to give training programs that are endorsed by those attending, but the true measure of the cost-effectiveness of this training is the skill and knowledge they acquire to do their job. In order to evaluate training results, we have undertaken a project of interviewing in some depth a random sample of five per cent of those attending Civil Service Commission courses in the six-month period ending March 31, 1982. We also plan to interview the supervisors of these employees to determine what they expected from the course, whether the course met these expectations and how much learning is or could be used on the job.

In a time of tight resources, training and training units must respond to the new economic environment or perish. The commission is confident that it can provide courses that will be useful to managers.

There are particular needs in the recruitment and staffing area which the Civil Service Com-

mission is seeking to meet. I do not propose to review each and every activity, but I think it is important to highlight areas as a way of indicating accomplishments of the past year. For example, special staffing initiatives have been needed because of certain operational changes. Decisions to relocate certain operations, such as Revenue to Oshawa and the Ontario health insurance plan to Kingston, have resulted in the need to develop techniques for placing staff who are unwilling or unable to move.

Over the years, the commission has delegated a great many of its responsibilities to individual ministries. This delegation enables the ministries to respond and react quickly to their employment needs based on the policies and procedures that are established and monitored by the Civil Service Commission. In support of these delegated responsibilities, the commission makes available a number of training programs to familiarize managers with proper personnel practices. There are courses available on the preparation of job descriptions, on selection and recruitment techniques and on determining the appropriate levels of compensation.

For example, a corporate compensation training program was initiated for line managers. This workshop is an intensive overview of the line manager's role in the grievance process with the focus on prevention. Recently, a second program has been completed dealing with job description writing for line managers.

It is also worthwhile to review some of the statistics related to these special compensation training areas. During the past year 132 personnel officers were trained in 10 courses offered. More than 1,400 staff members have received the benefit of this program since it was started in 1975.

12:20 p.m.

The staffing-training section of the recruitment branch also provides technical and skill-building instruction to personnel administrators and program managers. Through this program, training workshops are provided for ministry staff and are designed to meet their special requirements. By ensuring that the staffing process is well understood and properly applied, the requirement for direct control is minimized. There is also an extensive in-house executive education program for senior managers.

I would like to comment briefly on the attendance improvement program. In recent years absenteeism has been a subject of much research because it provides one of the very few quantifiable measures of organizational health and managerial effectiveness in service organizations. In this regard the commission is responsible for the development of service-wide policies, the monitoring of experience and the provision of training aids to ministries.

During the past year a comprehensive training package has been produced in co-operation with other ministries that includes film and course material. Ministries in turn are integrating this package into their training programs to enhance supervisors' awareness of absenteeism as a performance problem and to assist them in dealing with it more effectively.

Each year at estimates time I am pleased to advise of the support that civil servants give to various charity campaigns. For example, in 1981-82 the result of the United Way campaign is $1,025,500 and of the combined cancer-heart campaign, $230,000. Civil servants are also active in Red Cross blood donor clinics. I want to put into the record my personal appreciation, and I am sure that of other members, for the generous donations and time volunteered by the staff of the provincial government.

Mr. Nixon: Mr. Chairman, there is no doubt that the biggest change in the minister's responsibilities in the upcoming year covered by these estimates will be the provisions of Bill 179, which relieves him of the onerous responsibility of negotiating pay increases for the 12 months and beyond for which the bill will be applicable. We know it is not enacted as yet, but it has been approved in principle by this House.

That is why I felt that the interjections by the critic from the New Democratic Party seemed to lack a little awareness, since the matter has been debated in the House for many hours indeed, culminating in a vote in which a majority of the House approved the principle of the wage restraint package. I have no doubt that when the member has his turn to speak, we will be treated to a rehash of all of the material that was put before this House and that will no doubt be heard here again on a number of occasions.

Mr. Cassidy: You are sensitive.

Mr. Nixon: I am not at all sensitive about it, because, representing the riding of Brant-Oxford-Norfolk, I can say that most of my constituents, being farmers, would be delighted indeed to have the assurance of a five per cent increase in their revenues rather than the tremendous drops of 25 to 35 per cent that are envisaged in their dealings with what the NDP normally calls the private sector. My constituents are farmers, and

the prices they are getting for their crops are down by approximately 50 per cent.

It is true that it would be nice if some all-powerful government with unlimited sources of revenue, the type the NDP always has in mind, could simply pass a law saying that my constituents would have a five per cent increase, or 14 per cent, or 23 per cent. It seems it is very difficult to satisfy people who are on these gravy trains. But I have no hesitation and no embarrassment at all in telling you, Mr. Chairman, that I supported the principle of the bill, and I hope I will have an opportunity to support it further.

If we are going to debate the principle of the bill and its ramifications in these estimates, then I would consider this an undue overlapping of the responsibilities that we have as members of the Legislature.

Interjection.

Mr. Nixon: Well, I am simply trying to defend myself against what I consider is going to be the most crashingly boring five hours of blather that we are going to get from the NDP in the future. Not only that, but he is going to pour the punishment down our throats by having quorum calls so that we have an opportunity to listen to this stuff he has been talking ever since he was elected to the Legislature.

I do feel that naturally the matter is of great importance. It has had an opportunity to be debated here in principle. It is now being considered in detail by the standing committee and will come back here for further review.

If the NDP is going to spend all its time going over this material, so be it, but I for one find it needlessly repetitious, shirking the responsibilities that are a part of the examination of the estimates of this managing bureau for the government of Ontario.

Mr. Cassidy: Methinks the member doth protest too much.

Mr. Nixon: It is certainly a great thing you do not agree with me, because if you did I would certainly be appalled.

I want to say something further about the minister. He has a very full statement here and it is extremely well prepared. The only error I could find in grammar or syntax was one the minister made by his own error and quickly recovered. It is a very well prepared statement.

However, it does not reflect my view of the minister as an intelligent, reticent, modest and capable individual. I have been arguing with him for many years that if he would really like to give us the benefit of his own abilities and earn the money he is paid, I would like to hear his own views in these statements.

There is nothing the matter with this statement at all. It contains all the current buzzwords and buzz ideas. A couple of years ago it was all zero-base budgeting. That was the big deal that was going around, as well as sunset provisions; that phrase occurred only once this time. I started writing some of them down and then I gave up because it is just not like the minister.

He can hire all sorts of capable managers. Managers have suddenly become sort of the priesthood of what the minister is trying to do. All the religion associated with the priesthood has these concepts he talks about, such as value for money audit. That is not particularly new. We have had the process in the Provincial Auditor's office now for years.

Management by results; we do not call it that, we call it MBR. As soon as one allocates some sort of acronym, I have the feeling it takes on a meaning that is something less than human, particularly for the minister, who ought to be describing his responsibilities to this House in more personal terms.

Program performance measurement, PPM; I can imagine the staff meetings the minister has. It must drive him crazy when those people gather around a big table and start babbling this stuff at him. His feeling must always be, "Well, it is pensionable service and the alternative is going back to dig up sod up in Alliston or hoe potatoes, and this is better."

I know the minister does not have to take a back seat to any practical manager. Somehow or other, with only a teensy family start, he ended up as a millionaire and, before he was reduced to lowering his standard of living as a cabinet minister and driving around in those ordinary cars, he was driving a Seville.

I can recall him coming in here as a private member and immediately having a heavy responsibility thrust upon him as a member of the select committee on highway safety. He would come floating in in this beautiful new Seville. Of course, having certain personal ambitions, like the rest of us, to serve at a higher level, he was soon taken into the cabinet and the Seville is rusting away in the garage at home.

He does not have to take a second position to any of his management by performance experts and all the rest of it, because he has done it; he knows how to clip coupons and invest the proceeds.

I may come back to it, because I suppose

there have been people looking at my career and saying, "Is it not too bad he sort of did not make it?" I feel that, and my mother does, but the number of others is rapidly vanishing. There is still a chance for the minister. There really is. I think there are people among his colleagues who know of these great personal resources he has and maybe he should somehow relax and let it all come out.

When I see some of his colleagues in the front row who have taken a more prominent position in the exposition of public policy and so on, I cannot help but think that somebody running the government over there is missing out on a resource that has not been properly developed.

I do want to say something a bit further on the basis of the government's statement in this regard, particularly with the numbers of employees. This must involve us extensively and the minister advised us, in his remarks, to be sure that we were aware of the information in the Civil Service Commission annual report.

12:30 p.m.

Going back to about 1975, I can recall when the then Treasurer, who then as now took all of the responsibility for the decisions that should have been left to the Management Board, announced that they were going to start cutting back on the numbers of their employees and start a process of restraint. In the time of Darcy McKeough, that announcement had some teeth in it.

One of the first things he did was to send a note down to Ontario Hydro that he, as Treasurer, was not prepared to approve one of their monstrously large loans for additional money to expand their electrical-producing capability. It is the only time I know of that the province, which backs the credit of Ontario Hydro on all their loans, has ever said, "No, we won't approve this loan." Darcy was the only one who did that and he was entirely correct.

After his departure, the approval for these Hydro loans continued and the expansion of the capability to produce electricity continued to grow at the old directed rate. No doubt, Ontario Hydro has all sorts of people to measure program performance and management by results, and the result of all their sacerdotal managers has been the fact that we are now producing 50 per cent more electricity than we can possibly use if we turn on all the lights and all the engines and leave them running night and day.

That fact is interesting to note. Even though the honourable minister hires some of the best managers money can buy, Ontario Hydro probably has even better ones, if they are classed by the amount of money they are paid. They have made even more disastrous mistakes than the government of Ontario, as a whole, has made in predicting the requirements for the future.

But Darcy McKeough, in his attempts to bring in some restraint following the election of 1975, when it became apparent that this was partially an issue in which the people of Ontario had some interest, also undertook a special program review. Similar words are found, even this year, in the Chairman of Management Board's statement. Program reviews continue but we have not had one that made any sense or had any impact on the community since the one coming out in the 1975 era.

The minister may recall how specific that special committee was in advising the various ministers of the government what they could do to actually cut costs. Without mercy to some of the more sacred cows in the Conservative stable, they indicated certain programs that should be rubbed out, certain programs that should be reversed, and certain others that could be emphasized.

I do not intend to list all of those programs, but those recommendations still persist today. The most glaring, increased costs that have been unnecessarily foisted on the taxpayers in those days, and it continues today, were the costs of local government changes: developing regional governments. One of the others that really sticks in my mind quite dramatically was the recommendation of the special program review that the Ontario Institute for Studies in Education be abolished and that its duties be taken over by our excellent university system, primarily the University of Toronto, with the services spread through the other institutions.

They went so far as to say that we should get out of the contract for the building, which the province had built for the Ontario Institute for Studies in Education on a lease-back basis, and for which we are still paying $1 million or more a year rent, and that the building should be rented out to the private enterprise sector.

They even indicated that the furniture should be used in other departmental offices and anything not useable should be sold at auction. It could not be much more dramatic than that. The rather careful approach to restraint reviews taken by the minister and his board really does not come into the same category at all.

I have felt we really have not had anybody on the government side interested in meaningful restraint since McKeough went into the private

sector and became the president of Union Gas. Even then, they were talking about reducing the numbers of civil servants. Certainly before the election of March 1981, the minister and his colleagues, then Progressive Conservative candidates for re-election, had made as one of their principal indications of management that should deserve the support of the people of Ontario, the cutback in the numbers of civil servants.

It was interesting to note in the book of information the minister provided, that by coincidence, in March 1981, the number of civil servants was substantially reduced over previous totals. It was down to 82,159. Yet it is also interesting to note that by the following July, it was up to 96,000, an increase of 17 per cent in those few weeks. There is no doubt summer staff was taken on, but we need only look at the figures for unclassified employees going back to March 1980. There were 12,241 unclassified employees. At the most recent date available from the minister, March 1982, there are 13,509. That is not a decrease, but an increase of 10 per cent, during this period in which the minister has indicated that his initiatives and the initiatives of his colleagues have resulted in such a tremendous reduction in the number of people called upon to serve the government of Ontario.

It has often been said that the minister is misrepresenting the facts when he talks about these reductions. It is true, the number of classified staff has gone down from 67,000 to about 66,000 during the same period. But the number of unclassified staff has gone up. Often, it has been a way of hiding changes in the costs and the numbers of those serving the government of Ontario, I suppose: shift people from the classified to the unclassified list. It becomes a lot easier to deal with the employees as well, since, in the unclassified area, the minister does not have to undertake the special responsibilities for tenure and certain other advantages the employees would have if they were hired in the normal course of events.

If we have just got another $180 million of computer capability in this year alone and we now have a capability second only to Quebec, I believe the minister said—I do not know if I understood him correctly—I wonder why the latest figure he has in the report that was tabled recently is for March 1982? After all, here we are in October. It would be nice to know what the more recent figures are. He has the greatest management capability in the world. People come from everywhere to find out what he is doing. It does not balance with the information he is able to provide us.

As a matter of fact, a couple of days ago the government House leader (Mr. Wells) tabled a blanket answer under the rules of the House to a number of inquiries that had been placed on the Order Paper asking for specific information. Most of that information must be found in the memory banks of the fabulous computer capability, with all its specially trained staff, the best trained in the world, the Chairman of Management Board has. Yet I draw to members' attention that the answer said: "We cannot provide this information. You are asking too much of us. Go to the library and see if they can give it to you."

I would point out that the minister must be aware that a number of Order Paper questions have been filed relating to various costs incurred by the provincial government. He will further be aware that the government House leader has indicated that the complexity of the questions placed on the Order Paper would, in his opinion, require increased amounts of time and manpower to be directed from present assignments in order to provide the information requested.

The government House leader, who is rushing to his seat to assist the minister in his defence of the indefensible, has indicated that we could ask the questions during the estimates, or we could go to the library and get the answers there. Really, we do not want to waste the time of the minister and even of the critics and others in the estimates. We should have the information we require so we could then use it for the discussion of government policy and the administration of this policy at the time of the estimates, time that is severely limited, as you know, Mr. Chairman.

12:40 p.m.

Would the minister explain how it is that the answers to questions concerning the spending habits of the government are so difficult to provide? Do the ministries, guided by the managing stewardship of the minister's board, not have easy access to the money spent by them through this elaborate computer system, one of the biggest in the world, growing at $180 million this year alone? Is it because their accounting practices are so poor? Or are their spending habits so vast and extravagant that they cannot answer the questions?

Specifically I would like to direct his attention to 90 Order Paper questions: numbers 315 to 404 inclusive. These are the questions that

were posed to three separate ministries: Energy, Consumer and Commercial Relations, and Industry and Trade, formerly Industry and Tourism. The questions specifically refer to consulting services contracted by these ministries over the last five years and request the number of contracts involved and the names of the individuals or firms awarded the contracts.

Could the minister indicate why these ministries cannot answer the questions promptly? Is it because they do not keep a proper central file on contracts awarded? Is it perhaps that their management by results is falling down a little bit? Is it because nobody in the ministry ever makes a decision on anything?

If a problem crops up, they phone one of their friends who used to work in the ministry and who now runs some consultancy somewhere so he can get the information that should be provided from the minister's elaborate computers and his 82,000 staff members. Instead of going there he goes downtown to his buddies who are hanging out shingles. There are probably 100 new offices a week opening up, because they have found the mother lode in this government. They only have to leave the public service, help the government by reducing the number of its employees, go downtown and start a consultancy, making sure their engraved business cards are stuck in the washrooms of all the government ministries, and whenever anybody has any doubt at all, he says: "Boy, we will help our old buddy downtown. Maybe he will take us out to lunch at Christmas, and we will give him a consultant's contract."

He cannot even provide us that information when it is asked on the Order Paper and sits there for weeks on end. I would like to point out to the minister, we made every effort to help the ministries answer the questions by posing very specific questions. In fact, we used the minister's own Management Board of Cabinet manual of administration. We identified the specific categories of contracts we were looking for.

Let me enumerate the categories for him; he will be very familiar with them, no doubt. They are: managing consulting services; technical consulting services; communication services—that is a good one; legal services—another bonanza; research and development services; and creative communication services—that is another good one.

The ministries surely have their contracted services filed in this manner, which is exactly the list of titles that is used in the administrative manual itself. It should be found in an easily accessible fashion. Or is it the case that these ministries do not even follow the Management Board of Cabinet manual of administrative classifications for keeping track of their contracted services?

That is a serious matter, and I know that the minister will be anxious to provide answers. But with all of his computers and this world-class staff that people are coming from all over the world to admire and to question, so they can carry home these abilities to their own governments, why can he not just poke a button on his own management classifications and have that total come up? For heaven's sake, it should print out the names, addresses and titles of the contracts and the numbers of dollars involved for all of these consultants.

This is not the first time we have brought this matter to your attention, Mr. Chairman, but government by consultants is becoming an expensive joke around Queen's Park. This minister, coming as he does from the potato patch near Alliston, should have the sort of independence, strength of mind and character to say to his colleagues: "Quit pushing me around." He should stop hiring their friends, who have been employed in the various ministries over the years. Because when the information really does become public on this, it is going to be an embarrassing event in the extreme.

The person who is going to carry the can for that is poor old George McCague, who probably does not have a whole lot of consultants himself. He would have as many as other people but he is not operating one of the major ministries. He is really in cabinet, I suppose, for his good judgement to go by osmosis into the minds of some of his colleagues who are not blessed in that regard.

Here is an opportunity for a minister who has never bloomed. He has been a very tight bud all these years since he was elected. We know within that bud there is an ability, maybe a managerial beauty, that when properly fertilized—and that is what I am trying to do now—will expand and his undoubted abilities will be there to the benefit of not only his colleagues—and God knows they need help—but to all of us and to the people of Ontario.

There has never been a time when the Chairman of Management Board has been so put upon by his colleagues. We look at the Management Board itself: there is the Chairman of Management Board (Mr. McCague), followed by the the Minister of Citizenship and Culture (Mr. McCaffrey), the Provincial Secre-

tary for Social Development (Mrs. Birch), the Provincial Secretary for Resources Development (Mr. Henderson), the Minister of Northern Affairs (Mr. Bernier), the Provincial Secretary for Justice (Mr. Sterling), the Minister without Portfolio (Mr. Eaton), and the Minister of Community and Social Services (Mr. Drea). That is it.

I suppose that we could say that is a list of cabinet ministers, not all of whom have come to full bloom. There is a feeling in my mind that the Premier (Mr. Davis) and the Treasurer (Mr. F. S. Miller) and to some extent the government House leader (Mr. Wells) who has to go around sweeping up behind them all the time, have relegated the Management Board to a position less than it should occupy.

There was a time—and the minister may recall me using this phrase—that even the thought of appearing before the Management Board would make strong ministers turn white and tremble. I have a feeling that it is hard for them to find time to go to your meetings. Here are your estimates before the House, and there is nobody here but a sort of catch-all group who do not have anything else to do at all. It is an indication—

Hon. Mr. McCague: Including you. Where is the member for Grey-Bruce?

Mr. Nixon: Listen, I am paid to criticize this particular minister and I am here when I should be home ploughing.

Mr. Cassidy: Eddie Sargent is paid to be here.

Hon. Mr. McCague: Yes. Where is the member for Grey-Bruce?

Mr. Nixon: He is on his way—up.

I have a lot of good stuff here. I want to say something about the government's advertising program. I must be careful that I do not fall into the same trap I have warned the New Democratic Party critic of on his particular hobbyhorse because this matter has been brought to the attention of the House repeatedly.

I wonder if the minister—and I can put this in the form of a question—when he has an opportunity to resume the debate, would give us some of his own views as to the validity of Ontario being the third-largest advertiser in this jurisdiction in putting forward government programs and, in fact, putting a sheen on government itself? The biggest, of course, is the government of Canada. They very properly are being severely criticized by their critics for a similar program.

The taxpayers are not going to stand for this sort of thing much longer. We can talk about restraint. We can talk about waste of money. But when the money is wasted in such a way so as to put a special sheen of beauty on government programs that should be subject to proper review and criticism in the community, when the money is spent in many respects in such a way as to obfuscate the issues, then there cannot be a more dangerous wastage of public dollars.

12:50 p.m.

The only thing even close to it in danger is the penchant of this government, and others as well, to spend many hundreds of thousands of public dollars on public opinion polls and particularly on the interpretation which comes from this other rapidly multiplying select group in the community that I will simply call pollsters, because I cannot remember their proper name.

I find them the most parasitical group in the economic and governmental community. They are floating around the community hiring all sorts of staff to go out and ask people their opinions on this person and that: For example, "In the following list of politicians, where do you put Larry Grossman?" And, "Is it a good thing that Larry Grossman likes to eat carrots?" That sort of thing.

Mr. Cassidy: What is the difference between Goldfarb and Alan Gregg?

Mr. Nixon: I find them all a plague on the community and I say that most sincerely. If you are talking to any of those people at any time, you can tell them I said so and they will say they have heard it all before.

We are somehow becoming calloused to the expenditure of public funds. You people may say, "They are doing it in Ottawa," and Ottawa may say, "My God, you should see what they are doing in Quebec." But that does not make it right.

There surely are ways of finding the views of the community through the good offices of the elected members of this chamber, whichever way it can be done, without predicating all of the decisions of government on what they out there have told the government through their most recent poll. No doubt the decision to undertake restraint legislation had nothing more to do with what was considered to be best for the province than what the latest poll results said would be accepted by the community in that regard.

Between the pollsters and the people who are prepared to take on government contracts for consulting, and the platoons of lawyers in the community who are brought in to save their

neck whether it needs saving or not, we are wasting an awful lot of money. Whether or not this is of concern to the minister, it certainly is to me.

I want to say something about the minister's description of his internal audit service, he has quite a section in his speech about this, in particular his reference to the audit of transfer payments. I do not know if that means he is going to go into school boards and municipalities as some sort of an auditor general and say: "The man has arrived and wants to go through your books. Your own audit is not good enough." I have a suggestion I hope he might consider seriously. Once again, it is not new.

The auditing reports—I do not mean the provincial auditor's report; set that aside—and the certificates in the publications that come out under the aegis of the government of Ontario I find somewhat unsatisfactory to an unprofessional observer like myself. We must understand that the citizens and taxpayers all fall into that category.

If we are going to undertake some sort of an audit by results and assume some responsibility for the audit in the broader sense of the moneys we transfer to our agencies, boards, commissions, school boards and municipalities, there should be some procedure whereby on a standard basis the Chairman of Management Board, or whoever in the cabinet could be designated, could give a report that is comparative.

It should be one which would enable us—for various school boards, for example—to see, say, the basic cost of education in the county of Brant, compared with the neighbouring regional municipality of Wentworth or the regional municipality of Haldimand-Norfolk, on a per-student basis: what we are paying per teacher in salary, what we are paying for transportation per student in the elaborate system of school buses, which is extremely expensive. It is working quite well but we would like to know what those things cost.

On another basis, we should be able to determine what we are paying per capita for the cost of policing service. To put it in terms that are readily understood we can, in a healthy way, apply the sorts of pressures to our agencies, boards and commissions which could result in a reduction of costs rather than the ever upward spiral as one jurisdiction matches another, both in its pay package and in trying to surpass it in the services rendered.

Our auditing process may be sufficient for the minister to advise his cabinet colleagues that all is well and nobody is tucking the money in a drawer. But I am more concerned with the feeling we are not getting a uniform value for our dollar in our agencies, boards and commissions, and even in the government ministries themselves.

Quite definitely, I feel the minister might take a new initiative in this connection. Certainly, innovative auditing procedures are very much in the minds of people professionally trained in this connection.

The concept of a comparative audit has been put before this House in the past but it is surely time this government and this minister implemented a program which would give a meaningful, per capita comparison in costs for all those services for which we in the Legislature of Ontario, and you in the government, are directly responsible. I hope the minister might give me some comments himself on this because this has been sadly lacking for a long time.

I open the Brantford Expositor and see that the Brant County Board of Education has taken a full page on which all the minute detail of its expenditure is listed. That is fine. I look at the bottom and see what the all-in value is. I glance at the signature of the auditor to see if it has changed auditors. I look at the amount of money for elementary and secondary teachers' salaries. I look at the cost of administration; the word "administration" with a big chunk of money usually bothers me because it does not tell me nearly enough about the area I think has become a sinkhole of unnecessary educational expenditures.

I think this could not be done through the Minister of Education (Miss Stephenson) because it would have to be done across the board but, particularly as the Chairman of Management Board is now talking about the audit of transfer payments, we could require a uniform approach which gets down to some of the specific information that the taxpayers, the citizens reading those reports are going to be interested in.

How does our cost in Brant compare with Oxford county? How does the minister's cost in Alliston compare with some other community? How does the cost in the city of Toronto compare with Scarborough? How does Metropolitan Toronto compare with Hamilton, or maybe even with Buffalo, Detroit or some other major American city, simply for comparison's sake?

I give the minister credit for the fact that he

has attempted to apply uniform classifications for areas of expenditure. I have already complained to him that, although he supplied those classifications, he is not capable of providing information from them. It is on that note, Mr. Chairman, responding to your gestures, that I end my remarks at this time, but I do not want to give up the floor.

On motion by Hon. Mr. Wells, the committee of supply reported progress.

The House adjourned at 1 p.m.

APPENDIX

ANSWERS TO QUESTIONS ON NOTICE PAPER

HOSPITAL SERVICES

108. Mr. Peterson: Would the Minister of Health provide answers for the following questions for each of the public hospitals of Ontario:

1. What is the cumulative number of elective surgeries rescheduled due to Ontario Medical Association job actions since April 6, 1982?

2. How many elective surgeries were rescheduled on April 27 and 28, 1982?

3. What is the average number of patients seen per day in the emergency ward under normal circumstances?

4. What number of patients were seen in the emergency ward on April 27 and 28, 1982?

5. Have any physicians withdrawn from the medical advisory committee? If so, describe the extent of the withdrawal and how the hospital has responded to this action.

6. Have physicians withdrawn from other hospital committees required pursuant to the Public Hospitals Act and regulations? If so, describe the extent of the withdrawal and how the hospital has responded.

7. How many face sheets have not been signed for patient discharge as a result of the OMA job action?

8. Has the hospital reported the failure of physicians to perform as noted in points 5, 6 and 7 above to the College of Physicians and Surgeons of Ontario?

9. What has the hospital replied to the minister's April 20, 1982, CNCP telex three-point request for a report?

10. What did the ministry advise the hospital to do, if any problems were reported by the hospital in maintaining adequate patient care in reply to the ministry?

11. What information has the College of Physicians and Surgeons compiled and reported to the minister regarding cases of elective surgery affecting children rescheduled as a result of the OMA job action? How many such cases have occurred in each hospital? For children's hospitals, what is the current average waiting period for elective surgery? [Tabled April 28, 1982]

Hon. Mr. Grossman: 1. Public hospitals have reported to the ministry that 10,617 scheduled operations were rescheduled due to OMA job actions.

2. Public hospitals have reported to the ministry that due to the OMA job actions, 1,371 scheduled operations were rescheduled on April 27, 1982, and 1,235 scheduled operations were rescheduled on April 28, 1982.

3. Last year there was an averge of 13,335 visits to the emergency department per day. However, it should be noted that the number of visits on any particular day depends on many variables including the season, the day of the week and the weather.

4. Hospitals have advised the ministry that the number of patients seen in emergency (excluding day surgery patients) on April 27, 1982, was 12,529 and April 28, 1982, was 12,450.

5. A number of hospitals reported that the OMA job action had an effect on physician attendance and participation on the hospital's medical advisory committee. Although this resulted in the postponement or reduced attendance of a medical advisory committee meeting, hospitals reported that this did not have an effect on hospital operations. As a result it was not necessary for hospitals to take any direct action, other than conduct ongoing discussions with the chief of staff or chairman of the medical advisory committee to ensure quality of medical care was being maintained and monitored.

6. Some hospitals also indicated that the OMA job action had an effect on physician attendance and participation on other hospital committees. Some meetings were cancelled and meeting attendance was down at others. At these hospitals work was performed outside of the committee, where necessary, or was carried forward to the next meeting.

There were ongoing communications between the hospital and its medical staff to ensure continuing quality of care for patients. Hospitals reported that there was no impact on patient care.

7. It would take hospitals many hours of staff time at a considerable cost to review all the face sheets and therefore this information is not available.

8. The OMA job action did not result in hospitals reporting or drawing any matters directly to the attention of the College of Physicians and Surgeons.

9. Hospitals have kept the ministry informed verbally and in writing as to the effect on hospital operations and the OMA job action.

There were no serious incidents reported.

10. Hospitals were requested to advise the ministry immediately of any urgent problems that arose relating to the quality of care and treatment of patients as a result of the OMA job actions.

11. It is not possible to determine the current average waiting period for elective surgery. The average waiting period depends on many factors such as the season of the year, physician availability, type of procedure and so on.

The College of Physicians and Surgeons made detailed inquiries at the Hospital for Sick Children, Toronto, and the Children's Hospital of Eastern Ontario, Ottawa, regarding elective surgery cases rescheduled as a result of the April 15, 1982, OMA job action. The college also asked the Ontario Hospital Association to conduct a survey of all public hospitals to determine the effect of the OMA dispute on physicans' services rendered to children in paediatric units.

The summary of findings for the Hospital for Sick Children states that it appears that of the 23 surgical procedures deferred, no medical harm to the patient resulted.

The summary of findings for the Children's Hospital of Eastern Ontario states that the health and well-being of any chlid was not adversely affected as a result of the OMA job action. Twenty patients had surgical procedures rescheduled.

The statistical summary of the OMA survey of hospitals indicates that none of the responding hospitals felt that any child had been harmed or significantly upset or disturbed as a direct result of a postponed or cancelled admission or procedure.

CONSTITUTIONAL CELEBRATIONS

159. Mr. Boudria: What were the names of all persons whose presence at the Constitution Day ceremonies in Ottawa in April 1982 involved expenditures by the taxpayers of Ontario? What were their individual expenses? [Tabled May 18, 1982]

Hon. Mr. Wells: The following persons attended the Constitution Day ceremonies on Parliament Hill on April 17, 1982.

Name	Expenses
Premier and Mrs. Davis	$1,123.50
A. Leal	206.33
Hon. T. Wells	225.75
Hon. R. McMurtry	204.00
A. R. Dick	426.00
E. Greathed	333.00
G. Posen	255.10
J. Cavarzan	239.90
L. Hilborn	450.85
D. W. Stevenson	263.71

GOVERNMENT RECEPTIONS

174. Mr. Breaugh: Will the ministry list all receptions given by ministers of the crown in the last 12 months costing more than $1,000? For each reception, will the ministry list the nature of the function, the place of the function, the type of group invited and the number of people in attendance? [Tabled May 19, 1982]

Hon. Mr. Wells: Every ministry is responsible for its expenditure transactions and the details are shown in the Public Accounts of Ontario. In view of the effort and expense in duplicating this data, members are encouraged to pursue this kind of detail in volume 3 of the Public Accounts, and during the estimates debates in the House.

ONTARIO HYDRO SALARIES

235. Mr. Nixon: What is the salary of the chairman of Ontario Hydro? How many employees of the corporation are paid $50,000 a year or more? [Tabled June 30, 1982]

Hon. Mr. Welch: The salary of the chairman of Ontario Hydro is set by the Lieutenant Governor in Council. The current salary is in the range of that of a deputy minister, $61,100 to $77,375.

The corporation pays 1,501 employees $50,000 a year or more.

HOSPITAL BEDS

238. Mr. McClellan: Will the Minister of Health table the current number of hospital beds, broken down into (1) active treatment beds; (2) chronic care beds; (3) extended care nursing home beds; and (4) extended care homes for the aged beds? [Tabled July 5, 1982]

Hon. Mr. Grossman: As of March 31, 1982, there were: acute treatment beds (including psychiatric), 36,646; chronic care beds (including rehabilitation), 12,869; extended care nursing home, 28,686; extended care homes for the aged, 12,911; total, 91,112.

239. Mr. McClellan: Would the Minister of Health advise the House what are the current bed-population ratios for acute care beds and for chronic care beds: (a) for the whole province; (b) for northern Ontario; (c) for southern Ontario; (d) for Metropolitan Toronto; (e) for Ottawa; (f) for Hamilton; (g) for London; (h) for

Windsor; (i) for Peterborough; and (j) for Niagara? [Tabled July 5, 1982]

Hon. Mr. Grossman: The bed-population ratios for acute and chronic care beds as of March 31, 1982, for the whole province and for northern and southern Ontario are as follows:

Acute treatment beds (excluding psychiatric)

Area	Approved beds	Beds/1,000 referral population	Referral population (1,000)
Province	33,876	3.8	8,814
Northern Ontario	3,715	4.7	784
Southern Ontario	30,161	3.8	8,030

Chronic care beds (excluding rehabilitation)

Area	Approved beds	Beds/1,000 resident population over age 65
Province	10,994	12.4
Northern Ontario	898	11.8
Southern Ontario	10,096	12.5

The Ministry of Health does not compute bed ratios for acute or chronic care on an individual city basis.

243. Mr. McClellan: Will the Minister of Health table a complete list of planned long-term-care beds, together with a schedule for opening and the location? [Tabled July 5, 1982]

Hon. Mr. Grossman: We are unable to provide a complete list for long-term-care beds because plans are still being developed.

255. Mr. McClellan: Will the Minister of Health advise the House of the number and percentage of "preferred accommodation" hospital beds in Ontario as of: (a) June 30, 1981; (b) June 30, 1982? [Tabled July 5, 1982]

Hon. Mr. Grossman: Data on the number and percentage of preferred accommodation hospital beds are collected annually as of March 31. The figures as of March 31, 1981 and 1982, are as follows:

	No. of beds staffed and in operation	Percentage
1981 preferred accommodation	22,666	48
1982 preferred accommodation	22,955	48

256. Mr. McClellan: Will the Minister of Health advise the House:

(a) How many hospital beds have been converted to preferred accommodation (private and semi-private) since the implementation of the BOND program on June 1, 1982?

(b) Which hospitals have changed the ratio of regular to preferred accommodation since June 1, and on a hospital-by-hospital basis, by how many beds?

(c) What measures has the ministry taken to monitor hospital admissions and/or hospital waiting lists to determine whether or not preferential treatment is given patients with preferred accommodation? [Tabled July 5, 1982]

Hon. Mr. Grossman: (a) The number of beds which have been converted to preferred accommodation since the implementation of the BOND program is 46 beds.

(b) The hospitals which have increased their preferred accommodaton ratio by such conversions are: Southampton, 4 beds; Hornepayne, 2 beds; Sudbury General, 32 beds; Cambridge, 8 beds; total, 46 beds.

There is a mechanism in place to review and approve any proposed conversions. A hospital must first receive the approval of the local district health council. If the conversion is supported by the district health council, the request is then submitted to the ministry for review and approval.

(c) At the conclusion of the first year of the BOND program, hospitals will be participating in a review which will include an analysis of admission practices. To date there have been no problems related to access to standard ward accommodation while we frequently have requests for patients who wish semi-private or private accommodation.

QUEEN STREET MENTAL HEALTH CENTRE

242. Mr. McClellan: Would the Minister of Health advise the House how many patients at

the Queen Street Mental Health Centre have wandered out of the centre without official leave during May and June 1982? How many of these AWOL patients were involuntary? [Tabled July 5, 1982]

Hon. Mr. Grossman:

Month	No. of patients AWOL	No. of AWOL patients involuntary
May 1982	53	30
June 1982	56	36

NURSING HOME BEDS

244. Mr. McClellan: Would the Minister of Health advise the House how many of the 1,000 "approved" nursing home beds referred to by the Minister of Health in Hansard at page 4079, December 1, 1981, have actually been opened as of June 30, 1982? [Tabled July 5, 1982]

Hon. Mr. Grossman: As of October 15, 1982, 432 of the 1,000 approved nursing home beds have been opened.

CHILDREN IN PSYCHIATRIC WARDS

247. Mr. McClellan: Will the Minister of Health table the number of children under 16 who have been in residential care in the past five years in psychiatric wards of general hospitals and specify the numbers by individual year, by individual hospital? [Tabled July 5, 1982]

Hon. Mr. Grossman: We do not have the information for the past five years. However, the number of children under 16 years of age admitted to psychiatric wards of general hospitals in the years 1978-79, 1979-80 and 1980-81 is as follows: 1978-79, 618; 1979-80, 546; 1980-81, 494.

PATIENTS UNDER LIEUTENANT GOVERNOR'S WARRANTS

248. Mr. McClellan: Will the Minister of Health table the number of adults under loosened Lieutenant Governor's warrants currently in outpatient mental health programs in each provincial psychiatric hospital or other health care facility? [Tabled July 5, 1982]

Hon. Mr. Grossman: The number of adults under loosened Lieutenant Governor's warrants reported to be in outpatient mental health programs for each provincial psychiatric hospital (August 1982) is:

Brockville Psychiatric Hospital, 3; Kingston Psychiatric Hospital, 3; Lakehead Psychiatric Hospital, 2; London Psychiatric Hospital, 4; Queen Street Mental Health Centre, 23; St. Thomas Psychiatric Hospital, 7; Whitby Psychiatric Hospital, 6; Hamilton Psychiatric Hospital, 4; North Bay Psychiatric Hospital, 2; Penetanguishene Mental Health Centre, 1.

249. Mr. McClellan: Will the Minister of Health table how many patients were placed in each provincial psychiatric hospital under Lieutenant Governor's warrants and, of those, how many are in secure ward settings? [Tabled July 5, 1982]

Hon. Mr. Grossman: The number of patients placed in each psychiatric hospital under Lieutenant Governor's warrants and the number in secure ward settings (August 1982) are:

Facility	No. placed with facilities	No. in secure wards
Brockville	37	33
Kingston	4	0
Lakehead	6	2
London	11	0
Queen Street Mental Health Centre	49	3
St. Thomas	60	27
Whitby	8	2
Hamilton	13	4
North Bay	15	9
Penetanguishene	140	122
Total	343	202

CHATEAU GARDENS HOME FOR SPECIAL CARE

254. Mr. McClellan: (a) Will the Minister of Health table the nursing home inspection reports on the Chateau Gardens Home for Special Care in Kirkland Lake, for the inspection on May 19, 1982, and subsequent inspections?

(b) Will the minister provide the details of any remedial action required of Chateau Gardens, together with details about this nursing home's response to date?

(c) Will the ministry table the details of the service plan completed by the tri-ministry project in 1981 for the retarded children at Chateau Gardens, together with implementation dates of all aspects of the plan, including additional direct care funds? [Tabled June 5, 1982]

See sessional paper 254.

HEALTH AND SAFETY BRANCHES

269. Mr. Martel: Will the Minister of Labour table a list of inspectors in the industrial health and safety branch, and of directors of branch offices, specifying name, date of hiring, name of

immediate prior employer and specifying in what capacity, also whether employed as management or a member of what bargaining unit, and the branch office the individual is working out of currently? [Tabled September 24, 1982]

270. Mr. Martel: Will the Minister of Labour table a list of inspectors in the mining health and safety branch, and of directors of branch offices, specifying name, date of hiring, name of immediate prior employer and specifying in what capacity, also whether employed as management or a member of what bargaining unit, and the branch office the individual is working out of currently? [Tabled September 24, 1982]

271. Mr. Martel: Will the Minister of Labour table a list of inspectors in the construction health and safety branch, and of directors of branch offices, specifying name, date of hiring, name of immediate prior employer and specifying in what capacity, also whether employed as management or a member of what bargaining unit, and the branch office the individual is working out of currently? [Tabled September 24, 1982]

See sessional paper 257.

HUMAN RIGHTS DINNER

277. Mr. Bradley: Would the Premier provide the total costs incurred by the government for the dinner held on June 16, 1982, at the Harbour Castle Hilton in honour of the new Ontario Human Rights Code? [Tabled September 29, 1982]

Hon. Mr. Ramsay: The Ontario human rights dinner of June 16, 1982, was held to commemorate the 20th anniversary of the first Ontario Human Rights Code and to mark the proclamation of Ontario's new code. The dinner was held to recognize the contribution of various groups and individuals involved in human rights endeavours over the past 20 years, and to provide a forum for distribution of information about the new code.

Seven hundred and sixty people attended the dinner, and the total cost was $20,726.13, divided evenly among the following ministries: Attorney General, Citizenship and Culture, Education, Intergovernmental Affairs, Labour.

TRILLIUM EXPLORATION CORP. SALARIES

281. Mr. Kerrio: Would the Minister of Energy advise what the annual salary of each of the seven directors of the Trillium Exploration Corp. is to be? [Tabled September 29, 1982]

Hon. Mr. Welch: Members of the board of directors of the Trillium Exploration Corp. are not paid a salary.

TREATMENT OF RAPE VICTIMS

493. Mr. McClellan: Would the Minister of Health advise the House as follows:

(a) What are the circumstances surrounding the denial of medical treatment to a 21-year-old rape victim at the Humber Memorial Hospital on Sunday, September 26, 1982?

(b) Which other hospitals refused treatment to this woman, and what are the circumstances and explanations for the denial of treatment?

(c) How frequently does this kind of incident occur?

(d) Why has the Ministry of Health failed to establish rape crisis treatment facilities in our hospitals, and what plans does the Ministry propose now to deal with this problem? [Tabled October 1, 1982]

Hon. Mr. Grossman: (a) The ministry was advised that a 21-year-old woman was taken to the emergency department at Humber Memorial Hospital by Metro police for treatment and a forensic examination related to an allegation of rape.

The woman was kept waiting without treatment from 2:30 a.m. until 4:45 a.m., when she was taken by police to Women's College Hospital where treatment and examination were carried out promptly.

Humber Memorial Hospital has re-examined its procedure which allowed this unacceptable lapse to occur.

(b) The Ministry of Health has not established that any other hospital refused treatment.

(c) The ministry has not received any other complaints of such incidents.

(d) Specific hospitals in Mississauga, London and Hamilton have assumed responsibility for treatment of rape victims in their communities and the minister has asked all public hospitals to ensure that rape victims are promptly provided with the appropriate medical treatment and that necessary forensic process is carried out with the utmost urgency and consideration.

VEHICLE REGISTRATION

494. Mr. Foulds: In view of the government restraint program, will the ministry indicate the fee for automobile licence plates next year for four- and six-cylinder cars in southern Ontario and the fee for all automobile licence plates in northern Ontario for next year? Would the ministry indicate the percentage increase over

this year's established fees for these categories? In each case that the increase exceeds five per cent, can the ministry explain the reasons for this? [Tabled October 1, 1982]

Hon. Mr. Snow:

Summary of vehicle registration fee structure

Vehicle type	Current fee $	New fee $	Increase %
Passenger vehicle, 4-cylinder S. Ontario	30	48	60.0
Passenger vehicle, 6-cylinder S. Ontario	45	48	6.7
Passenger vehicle, 8-cylinder	60	48	(20.0)
Passenger vehicle, over 6.5 L	80	48	(33.3)
S. Ontario			
Passenger vehicle, total S. Ontario	49.45	48	(3.1)
Passenger vehicle, N. Ontario	10	24	140.0
Motorcycles, S. Ontario	20	24	20.0
Motorcycles, N. Ontario	10	12	20.0
Mopeds	5	6	20.0
Historic vehicles	10	12	20.0
Dealer plates, regular	80	96	20.0
Dealer plates, motorcycles and mopeds	25	48	92.0
Light CMV, personal use S. Ontario	49.45	48	(3.1)
Light CMV, personal use N. Ontario	10	24	140.0
Light CMVs 1, 2,400 kg	60	72	20.0
Light CMVs 24, 2,600 kg	69	72	4.3
Light CMVs 26, 2,800 kg	78	72	(7.7)
Light CMVs 28, 3,000 kg	83	72	(13.3)
Light CMVs total	63.64	72	13.1
Steam and electric	15	48	220.0
Total—affected fees	48.56	49.67	2.28

The new fee structure was announced in the May 1982 budget, several months prior to the restraint program. Its purpose was to permit a more efficient system for vehicle registration to be put into effect; it is not expected to result in any revenue gain to the Ontario government.

APPLICATIONS TO CONSERVATION BODIES

495. Mr. J. A. Reed: Would the Minister of Natural Resources indicate the number of applications now before the Niagara Escarpment Commission and the Halton Region Conservation Authority, and on what date the applications were first made? [Tabled October 1, 1982]

Hon. Mr. Pope: There is one application currently before the Niagara Escarpment Commission, submitted to the Ministry of Natural Resources on August 12, 1982, and forwarded, after study, to the commission on September 22, 1982.

COMPUTER SYSTEM FOR GO TRANSIT

496. Mr. Boudria: Would the Minister of Transportation and Communications table any documentation relating to a purchase or an agreement or letter of intent to purchase, by GO Transit, a TBX computer system from ROLM Canada Ltd.? Also table any information on bids from other companies such as CNCP, Mitel and CTG pertaining to this proposed purchase [Tabled October 1, 1982]

See sessional paper 251.

WAGE AND PRICE RESTRAINT PROGRAM

497. Mr. Foulds: Will the ministry table a list of all labour union contracts that will be affected as a result of Bill 179, the number of workers

affected, and the specific impact of Bill 179 on each of these contracts? [Tabled October 4, 1982]

498. Mr. Foulds: Will the ministry table a list of all trade union locals that will have their wages restrained by Bill 179? [Tabled October 4, 1982]

See sessional paper 252.

512. Mr. Peterson: Would the Treasurer table the legal opinions that he or his ministry have received which contend that the fees paid by the Ontario health insurance plan to doctors are not subject to the restraint provisions of Bill 179? [Tabled October 8, 1982]

Hon. F. S. Miller: The opinion of the legal staff of my ministry is that fees paid to doctors under the Ontario health insurance plan are not subject to the restraint provisions of Bill 179.

ADMINISTERED PRICE RESTRAINT PROGRAM

500. Mr. Foulds: Will the ministry table a list of all those corporations, agencies, organizations and bodies that will be affected by the administered prices section of Bill 179? [Tabled October 4, 1982]

Hon. Mr. Elgie: Administered price restraint program coverage—public agencies and public regulatory agencies:

Cemeteries branch; colleges of applied arts and technology (CAAT) (tuition fees); colleges and universities (tuition fees);

Huronia Historical Parks Commission;

Liquor Control Board of Ontario (beer); Liquor Control Board of Ontario (markup rates held constant);

McMichael Canadian Collection;

Niagara Parks Commission;

Ontario Energy Board (gas companies); Ontario Energy Corp. (Ontario Van Pools); Ontario Highway Transport Board; Ontario Hydro; Ontario Place, Ontario Northland Transportation Commission; Ontario Research Foundation; Ontario Science Council; Ontario Securities Commission; Ontario Telephone Service Commission;

Royal Ontario Museum;

St. Clair Parkway Commission; St. Lawrence Parks Commission; superintendent of insurance (Facility Association, medical insurance companies); superintendent of private vocational schools;

Toronto Area Transit Operating Authority (GO Transit);

Urban Transportation Development Corp.

Note: Prices charged by hospitals, school boards and municipal agencies, with the exception of municipal hydro utilities, are not administered prices for the purposes of this program.

501. Mr. Foulds: Will the ministry table a list of all provincially administered prices? [Tabled October 4, 1982]

Hon. F. S. Miller: A comprehensive list of every price or fee has not been assembled. However, all prices charged or authorized by public agencies or public regulatory agencies will be subject to the restraint criteria. The answer to question 500 indicates coverage of agencies and regulatory bodies. Ministries are required to bring forward any fee or price increase in excess of five per cent for review by the cabinet committee on administered prices.

LESLIE STREET SPIT

509. Mr. Elston: Would the Minister of the Environment table the results of pesticide testing from the truck fill sampling program and the excavation sites sampling program which do not appear in the August 1982 Ministry of the Environment report entitled, Lakefill Quality Study: Leslie Street Spit? [Tabled October 6, 1982]

See sessional paper 253.

RELIGIOUS EDUCATION

539. Mr. Cassidy: Would the ministry advise the House which boards of education are currently exempt from the requirement to provide two half-hour periods weekly of religious instruction in the elementary schools in accordance with regulation 262, section 28(15) of the Education Act? Has the ministry denied any such requests and on what grounds does the minister deny or accept requests under this regulation? [Tabled October 13, 1982]

Hon. Miss Stephenson: The following boards of education have been granted exemption for the 1982-83 school year, from the teaching of religious education in their elementary schools in accordance with the provisions of subsection 28(15) of regulation 252 made under the Education Act:

Carleton Board of Education; Hastings County Board of Education; Kapuskasing Board of Education; North York Board of Education; Ottawa Board of Education (Ecole Franco-jeunesse only); Toronto Board of Education.

There is nothing in the existing files to indicate that the minister has denied any such request.

The grounds on which exemptions are granted are stated in subsection 28(15) of the regulation, viz., the submission to the minister of an application for exemption stating the reason(s) why the exemption is being requested.

L'UNION DES RECIPIENDAIRES D'ASSISTANCE SOCIALE

540. Mr. Boudria: Does the Ministry of Municipal Affairs and Housing fund in any way l'Union des récipiendaires d'assistance sociale de Prescott-Russell? If so, what amount was given to the organization in 1979-80, 1980-81 and 1981-82? [Tabled October 15, 1982]

Hon. Mr. Bennett: There has been no funding given by the Ministry of Municipal Affairs and Housing to l'Union des récipiendaires d'assistance sociale de Prescott-Russell.

541. Mr. Boudria: Does the Ministry of Community and Social Services fund in any way l'Union des récipiendaires d'assistance sociale de Prescott-Russell? If so, what amount was given to this organization in 1979-80, 1980-81 and 1981-82? [Tabled October 15, 1982]

Hon. Mr. Drea: The Ministry of Community and Social Services does not provide funds to this organization and no funding was provided for the fiscal years 1979-80, 1980-81 or 1981-82.

INTERIM ANSWERS

The following statement was prepared under Cabinet Office letterhead:

The government will attempt to provide an answer to as many questions as possible before the adjournment of this session. It should be noted, however, that the tremendous increase in the number and complexity of questions placed on the Order Paper would require that increased amounts of time and manpower be diverted from present assignments in order to provide the information requested.

An alternative would be to increase the resources allotted to the performance of this function. At a time when the government is endeavouring to adhere to an ongoing restraint program, neither course of action would seem to be appropriate.

Should there be questions that cannot be answered in the remaining weeks, given these circumstances, members should note that sources other than the Order Paper may be utilized as part of the search for such information.

For example, the Public Accounts of Ontario will be of assistance in regard to many of the questions dealing with expenditures. Questions of this nature can also be directed towards the ministers responsible for such transactions during the estimates process.

All honourable members enjoy access to the research and information services provided by the legislative library, and the Liberal and New Democratic parties each possess their own research capabilities funded through the budgets accorded both parties.

It is hoped that through a combination of these approaches, with the full co-operation of ministers and members, all honourable members will be able to attain the information that they seek.

Every effort will be made to answer the following questions on or before December 17, 1982:

Questions 235, 262, 264 to 268, 278, 279, 283 to 286, 288 to 293, 295 to 297, 300, 301, 305, 306, 308, 309, 312 to 485, 489 to 492, 502 to 508, 513 to 517, 519 to 528, 530 to 534, and 537.

535. Mr. Foulds: Hon. Mr. Snow—The ministry will require additional time to assemble information for the response to this question. The answer will be available on or about Monday, November 29, 1982.

RESPONSE TO PETITION

TEACHERS' SUPERANNUATION ACT

Petition presented to the House; amendments to the Teachers' Superannuation Act; sessional paper 178.

Hon. Miss Stephenson: This is a response to a petition presented to the House by Jim Gordon, MPP, concerning recommendations made by teachers in his Sudbury constituency to amend the Teachers' Superannuation Act.

The amendment of this act has been an active issue since October 1980, when the Premier of Ontario established a joint committee to address the many outstanding issues and concerns that had arisen since the last revisions of the act in 1975.

After two years of ongoing discussions, the joint committee, composed of represenatives from the government of Ontario and the Ontario Teachers' Federation, recommended 29 major amendments to the Teachers' Superannuation Act to address the issues of declining enrolment, pension formula inequities, interest rate returns and administrative improvements. The discussions included the specifics listed on the petition and the recommendations address these issues where financially possible.

Currently, the recommendations are under development, and it is anticipated that proposed legislation will be introduced in the House in the fall session.

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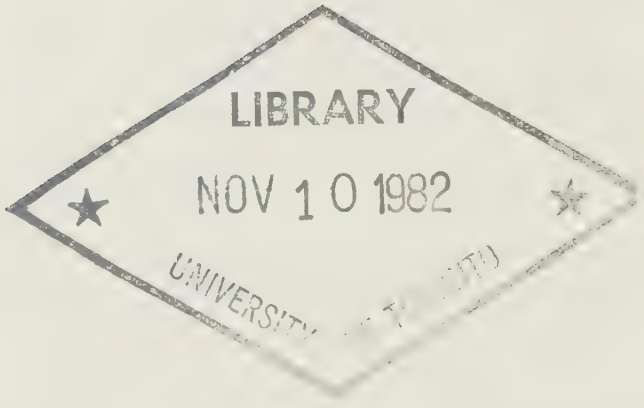
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Official Report (Hansard)



Second Session, Thirty-Second Parliament
Monday, November 1, 1982

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Monday, November 1, 1982

The House met at 2 p.m.

Prayers.

STATEMENT BY THE MINISTRY

SITEV AMERICA '82

Hon. Mr. Walker: Mr. Speaker, I want to report to members on three matters concerning Ontario's automotive industry, particularly the parts sector.

This week, in Toronto, my ministry is hosting SITEV America '82, a major international automotive exposition that will bring to the province more than 5,000 decision-makers from more than 30 countries, representing the automotive original equipment and parts industries worldwide.

The importance of such an exposition at this particular juncture is self-evident; thus, the effort of the government these many months to bring the show to Ontario for the second year in a row.

Forty-eight Ontario automotive parts suppliers will exhibit and promote their products quite literally to the world's car makers: Honda, Toyota, Datsun, Mitsubishi, Peugeot, Volkswagen, Alfa-Romeo, Daimler-Benz, Chrysler, Ford, Renault, American Motors, Saab, Volvo and General Motors.

The presence of these firms will facilitate seminars, discussion and negotiation on the requirements of the original equipment market, developments in new technology and opportunities related to joint ventures, licensing arrangements, partnerships and new investment in production.

The exposition is much more than "show and tell." For example, we have authorized a large information booth equipped with a computer-based data system containing the names of companies in the province seeking joint ventures and licensing arrangements. We will facilitate discussion among the parties through translation services and follow-up.

In addition, formal representations are being made by government representatives to some 80 key European automotive executives at a special seminar today. These presentations will promote Ontario as a base for international automotive activity and new investment generally.

Coincident with the presence of SITEV in Ontario this week, I want to inform members of a seminar being held later this week under the auspices of the Japanese Automotive Manufacturers' Association.

The seminar is the first of its kind in Canada. It is the direct result of months of negotiations with the industry in Japan by our officials in Tokyo. It follows recent Japan-Canada talks concerning the flow of Japanese auto exports into this country.

The seminar is designed to assist North American suppliers in understanding the import features of the Japanese market. The lead speaker is the purchasing manager for the Nissan Motor Co., while tips for Canadian suppliers to sell to the Japanese original equipment market will be discussed with a senior official of Toyota.

The industry and the government of Japan both view this seminar as a concrete step forward in industrial co-operation between their country and ours. I share that interpretation.

Finally, the third point I wish to raise with members pertains to the state of the automotive parts industry in this province overall.

Last week, a report prepared by a consultant for the Canadian Institute for Economic Policy essentially threw in the towel on Ontario's automotive parts industry. It should be known that we reject that notion.

There are major problems, of course: problems of productivity and competitiveness, structure and adjustment. The difficulties are fundamental, but there is no value in hanging crêpe over our opportunities to respond.

Simply put, Ontario and Canada cannot afford to lose our automotive industry. Our resource-based industries and material suppliers need that market; our capital equipment suppliers need that market.

The role of government is not to declare it dead or dying. Our job is to work in partnership with that industry, with other levels of government and with jurisdictions outside the country in recapturing our competitiveness.

Thus the rationale behind the automotive parts technology centre that we will open in the Niagara region later this year. Thus our commitment to manpower training and develop-

ment programs germane to the skill requirements facing this industry through the 1980s. Thus our commitment to helping the industry help itself.

That is the message I will be taking to the SITEV delegates later this week. It is a fundamental message and, in the light of the consultant's report I referred to earlier and the unfortunate kind of media attention it received, it is a message that must be repeated long enough and loud enough to make the point.

ORAL QUESTIONS

BUDGET

Mr. Peterson: Mr. Speaker, I have a question for the Treasurer. In view of the deterioration of the economy and the very serious miscalculations the Treasurer made with respect to the economic performance in this province in his budget of last May 13 and in view of the fact that the federal minister has now chosen to make a new economic statement—budget, unbudget, whatever one wants to call it—laying out the prospects for the next little while, is the Treasurer prepared to bring in a mini-budget—economic statement, unbudget, anything he wants to call it—bringing us up to date on the deterioration of the Ontario economy as well as the remedial action he is prepared to take immediately?

2:10 p.m.

Hon. F. S. Miller: Mr. Speaker, I do not think a mini-budget is the route required at this point. That would deal with tax changes and so on. I simply suggest that we had some opportunities to create jobs offered by the federal government last week, and I sense there will be other job-related initiatives at the federal level. We are establishing reasonable communication with those ministers, and I do not see that it takes a budget for us to accomplish the objectives the Leader of the Opposition has in mind.

Mr. Peterson: I put to the Treasurer that he made some very serious miscalculations in his last budget, so serious the last budget is almost not meaningful. He predicted real growth of four per cent in the second half of this year; in fact, we have had a real decline of 1.8 per cent in the second quarter as well as a decline in current dollars for the first time in some 22 years.

He predicted unemployment of 7.6 per cent for one year; it is currently 11.1 per cent and will average between 9.6 and 10.6 per cent for the year. He predicted employment by year-end of 125,000 over the then current level; at present it is 95,000 below the May level, or 220,000 off his budgetary target.

He predicted housing starts of some 50,000 a year. It has nothing to do with the Brampton charter either, I should remind him. In September, starts were at an annual rate of 21,000 units, less than half the previous year's rate. He predicted retail sales would increase by 10.1 per cent over 1981; from January to July, retail sales were up by only 4.3 per cent over 1981.

The Treasurer predicted private investment would increase by 9.6 per cent to some $25 billion, whereas Statistics Canada's mid-term review estimates that 1982 investment will increase by only 1.6 per cent to $23.6 billion.

Given the major discrepancies between the Treasurer's predictions and reality, and given the fact that we have had a major deterioration, does he not feel he has to look at all aspects he controls, all job creation measures, including tax methods, to get this economy moving again?

Hon. F. S. Miller: We have taken a number of internal steps since May 1 without the budget. I would argue that unlike some other levels of government, we have managed to keep our spending at the level predicted. That is pretty hard to do in these days of increased spending in areas such as health care. We have kept our cash requirements within 10 to 15 per cent of them.

I point out that the budget was quite accurate in the area of the jobs we would create in terms of the $171 million we invested in public works projects.

The Leader of the Opposition has recited the number of housing starts at 21,000 on an annual basis. If he took the really important figure that month, he would see that sales of new houses in the Toronto area were almost six times what they were in the same month last year and that sales over the last month are predicted to go up in the next couple of months because of the combined programs of Ontario and Canada. I suggest to him that will mean there will have to be starts at this critical time. Those starts will create jobs at the very time we badly need them.

Mr. Cooke: Mr. Speaker, will the Treasurer not agree that the basis on which his budget was put together on May 13 was totally wrong, now that the reality of high unemployment and the deep recession or depression we are experiencing has come about?

The Treasurer thought there would be two per cent real growth on an annual basis in the second half, which is not about to happen; in fact, we have lost more than 100,000 jobs since

his budget was introduced. Does he not understand, and will he not admit, that the bases for his budget were all wrong and therefore a new budget has to be brought in that reflects the economic reality and depression of Ontario's economy today?

Hon. F. S. Miller: Mr. Speaker, I have not tried to stand up in this House and pretend the estimates for job creation or the estimates in terms of the economy made on May 13 were accurate. I have gone the opposite way; I have told the honourable member they were not accurate. There is no use in my trying to pretend something is that is not.

The fact is that we have taken steps which I think are quite appropriate. We have talked with the federal government to get these things under way, and I am satisfied they are working along towards helping us with the very people who are most in need of help, those whose unemployment benefits are running out immediately.

Short of that, and I am sure it was raised in the emergency debates and a number of other discussions, the only moves that will create long-term, wealth-creating jobs will be those that get consumers buying again, and that is not necessarily related to any other moves. We have seen interest rates come down; it has affected house buying but so far it has not affected automobile buying.

Certainly I do not have to convince the member, who comes from Windsor, that if we must pinpoint a single industry in this province upon which almost all the others depend, it is the automobile industry. I believe we have a responsibility to keep pressing Ottawa for a relatively good Canadian content in the automobiles sold here and, for the member's information, we are doing it.

The Minister of Industry and Trade (Mr. Walker) and I were in Ottawa—I believe the actual date was March 17—and we were able to get the co-operation of the federal government. I went to Japan. There has been a reduction in the allocation of imported Japanese cars but not light trucks. I suggest there will be renewed efforts, which I hope members will support, to make sure we get fairer treatment by the federal government for imported cars and higher Canadian content for those that are made here.

Mr. Peterson: It is interesting that in the Treasurer's response he said we have to get consumers buying again. He is aware, of course, that his retail sales tax revenue is down by some $260 million over projection. Is he aware that sales at takeout restaurants in Ontario in July were down from $70 million in 1981 to $58 million this year, some 17 per cent below what they were in 1981? That is a new area for sales tax application. This is far more serious than the deterioration of sales—

Interjections.

The Acting Speaker (Mr. Cousens): Order.

Mr. Peterson: It is a very important point. You may want to speak to them about their unruly behaviour, Mr. Speaker. I just want to bring the figures to their attention.

The Acting Speaker: Your supplementary?

Mr. Peterson: Sales in takeout restaurants in the province in July deteriorated from $70 million in 1981 to $58 million this year, down some 17 per cent. That is not just because of the recession, because other areas of the country were not hit as severely as we are in Ontario. It has very much to do with the Treasurer's sales tax brought in by his budget. Why does the Treasurer not bring in some changes in his budget? It is time for a new budget to address some of these problems.

Hon. F. S. Miller: I do not know where the Leader of the Opposition is getting his figures on the rest of the country. I have some figures, but I do not have them in front of me; I will read them into the record at an appropriate time. As I recall the sales tax figures for the provinces of Canada, there is only one province that has shown as good a record as ours since my budget came out and that is Nova Scotia which, ironically, increased its sales tax from eight per cent to 10 per cent.

Mr. Peterson: I am talking about sales in takeout restaurants: just so the minister knows. If he will check his figures, he will come back.

SALE OF RENTAL UNITS

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations. Will the minister bring the House up to date on the impending meeting he is going to have with the officials of Greymac? I would like to know who is going to be there, what issues will be discussed and when the meeting will be held. What is the agenda, what are the things that are going to be discussed and what will he be looking for from that meeting?

The minister is aware that it is now about 15 days to the closing on November 16 and, because of what I understand is the flexible nature of that deal, it could be closing much sooner than November 16. What is the minister doing?

Hon. Mr. Elgie: Mr. Speaker, I have no information about the flexibility with respect to the date of closing. I do know that we have been in touch with Greymac, and my staff and deputy have been firming up arrangements for a meeting with Greymac early this week. I cannot give the Leader of the Opposition the details of it right now, because I have not heard from them about the final arrangements, but the meeting will be this week.

Mr. Peterson: Frankly, the minister's constant lack of information is of great concern to us, because it seems that we on this side of the House are far more informed about this deal than he is. If he knew some of the things we know, he would address this matter with a greater sense of urgency than he is. Will the minister undertake to give this House a full report on all the questions we have been asking over a period of time before he allows that deal to close?

Hon. Mr. Elgie: I have been here every day answering the questions the member has been putting to me, as well as the questions of other members, and I will continue to be available for those questions. When I have completed the meeting with Greymac and received the information I will be requesting, I will certainly be glad to communicate it.

2:20 p.m.

Mr. Philip: Mr. Speaker, is it not a fact that at this time the Residential Tenancy Commission is reviewing guidelines RR2 and RR4, which deal with the right of a landlord to phase in the increased financing resulting from a sale, as in the case of Greymac, and which allow it to be passed on to tenants in only three years? Do they not also allow for 85 per cent of the acquisition cost to be passed through as financing to tenants?

Will the minister assure us that a decision will be made on these two matters prior to the date of the sale?

Hon. Mr. Elgie: Mr. Speaker, I do not think it is any secret that I said last week that the ministry and the commission were looking at a variety of issues, two of which were the equity in buildings and the period of phasing in.

Naturally, as the honourable member would want me to do, we will look at it from all perspectives to make certain that whatever is done is fair and equitable. I cannot give the member any kind of commitment as to timing or the exact nature of what might come out of those discussions until they are completed.

Mr. Peterson: I think it would be reasonable to discuss the kinds of questions he has been asked here; for example, the amount of pass-through allowed in a purchase situation. He knows and we know that it is obviously having a severe effect and is substantially distorting the amount of rents being paid in the marketplace.

Given the fact that we have a very complicated situation on our hands, does the minister not feel that this should be looked at publicly by all members of this House through a committee and that perhaps the Cadillac Fairview-Greymac deal should be the impetus to look at all the ramifications of these kinds of transactions to make sure we are serving all the various interests involved as best we possibly can?

Hon. Mr. Elgie: I have made it very clear—and the member's party was a part of the process that led to the rent review process, which is an open, public hearing—that all matters related to rents that come within the statute are reviewed by that commission. That is what it is there for. I think it is most inappropriate that in the midst of having that body to do those jobs the member proposes that we should set up another body to review things again.

I have indicated that I am looking at aspects of the rent review process, and when that review is completed there will be some announcements made.

LEAD ASSESSMENTS

Mr. Martel: Mr. Speaker, I have a question of the Minister of Labour regarding Westinghouse. He will be aware that his ministry issued two orders for lead assessments, the first on March 26, 1982, and the second on September 15, 1982, which was probably nine months after the deadline for lead assessments.

The minister also will be aware that his ministry now has issued two orders for lead control programs. Is he aware, however, that in the lead assessments supplied to him by the company, the only information contained was the name of the material used, the operation, the quantity used per year and the number of persons involved? Is he also aware that the lead regulations themselves indicate the following must be done when a lead assessment is undertaken?

"Every employer to whom the regulation applies shall cause an assessment to be made in writing of the exposure or likelihood of exposure in the workplace of a worker to the inhalation, ingestion or absorption of lead. In

causing the assessment to be made, the employer shall consider and take into account such matters as methods and procedures used or to be used in processing, using, handling or storage of lead, the extent and potential extent of the exposure of workers to inhalation, ingestion or absorption and, finally, the measures and procedures necessary to control such exposure by means of engineering controls where practical, or hygiene practices and facilities."

In view of the fact that the company has failed to do any of that, is he now prepared to prosecute?

Hon. Mr. Ramsay: Mr. Speaker, as I indicated in response to a previous question on the same matter by the honourable member, the ministry was prepared to do a complete investigation of the Westinghouse matter. That investigation is going on at present. It is being headed up by Dr. Ann Robinson, the assistant deputy minister of occupational health and safety. Until I have her complete report, I am not prepared to say whether there will be prosecutions.

Mr. Martel: While Dr. Robinson is investigating this, is the minister aware that on the day I raised the matter regarding Terry Ryan, a young worker at Westinghouse who I believe was blinded, and I quoted Mr. Stan Gray in this House, Mr. Gray was given a written notice of warning? Is he also aware that the day he appeared before the health and safety task force that I am heading and we were in Hamilton, he was also brought into the office and given a reprimand? And when I raised this matter in the House last week, Mr. Gray was given a day off. He was working on his own time; it was during his lunch period and his wash-up period.

With this type of intimidation being allowed, does the minister not realize that people will do one of two things: fail to come forward when there is a health and safety hazard or refuse to work in health and safety at all?

Again I ask, when Dr. Robinson is looking into this, will the minister get the details on this harassment?

Hon. Mr. Ramsay: I have followed up on the matter of the alleged harassment of Mr. Gray, and I find that he has chosen to have the matter dealt with by final and binding settlement by arbitration under the collective agreement.

Mr. Martel: Is Mr. Gray not going that route because the ministry is not prepared to act? Second, while this investigation is going on, can the minister tell me why his ministry went in there last week and issued a second order, which did not give a date by which to implement the control program? And did his ministry not order last week that the workers had to continue to use respirators rather than engineer it out? What study is still going on?

Hon. Mr. Ramsay: I share the concern being expressed by the member. As I have said in this House before, there is more to this whole matter than meets the eye, and we are prepared to investigate it thoroughly. That is why I think it would be very premature and inappropriate for me to make too many comments until we have had a full report and have been able to assess it. I expect that in the very near future.

RESIDENTIAL TENANCY COMMISSION GUIDELINES

Mr. Martel: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. According to the 1981-82 annual report of the Residential Tenancy Commission, more than three times as many apartments have been taken to the rent review process and the average rent increase allowed under rent review is almost 15 per cent, which means tenants are going to pay an average of approximately $500 more per year for rent.

How can his government claim that rent review is working when this is going on? How can the minister legislate public sector workers' wage increases to five per cent when rents are going up by 15 per cent?

Hon. Mr. Elgie: Mr. Speaker, I think the report speaks for itself in that there have been a significant number of increases in the number of applications for rent review, a process that was established in 1975 and has been in place now for seven years even though there have not been wage and price restraint programs in place at various levels of government during all that time.

The program has remained in place and, as the honourable member knows, the six per cent guideline is in place to ensure that landlords who do not wish to go to rent review may accept six per cent, but that, if they do go to review then they have to justify the increases.

It is true that last year on average, I think, roughly a 14 to 15 per cent increase was awarded; and as the leader of the New Democratic Party said in an article in the Toronto Star on August 8, by far the major reasons for that have been rising interest rates and increased energy costs, and I agree with him.

What we are faced with is a problem with inflation and the fallout from it. We as a

government feel, and one member of the New Democratic Party in Ottawa feels, that the only way to approach this is through some sort of wage and price program. This government has endeavoured in the only way it deems feasible on a provincial basis to approach it the way we have, saying quite openly and quite honestly that if there is not solid evidence of a response to this by the private sector, a national program should be introduced in the private sector as well as in the public sector.

Mr. Martel: In the meantime, people who are frozen at five per cent have 15 per cent increases in rent in one sector.

The minister knows rents have increased even more sharply while the landlords claim increased finance costs; there, it has gone up by 18 per cent, which is an average cost to the tenant of approximately $624 a year. Will the minister agree to review the rent review law? Will he agree to change it to prevent people from being thrown out of their accommodation because they cannot afford to pay those increases, particularly in view of the government's five per cent guideline package?

2:30 p.m.

Hon. Mr. Elgie: Let us not misread the five per cent price restraint program within the government's program. It is clearly a cost pass-through program, as is the rent review program. Therefore, in essence, it offers the same problems in respect to uncontrollable costs as does the rent review program. I wish the member would not try to leave the impression in the public mind that if only rent review could come under that program, the increases would be at five per cent, because that is not the program. It is a cost pass-three program just as the rent review progream is.

Again, the member has raised the issue of financing costs. I have said very frankly, as his leader has said, that high interest rates in response to inflation have clearly produced interest rates that are causing serious problems for home owners, businesses, employers, employees and landlords and tenants. We understand that. We are endeavouring to tackle this and approach it in a way we feel is appropriate and possible for a provincial government.

I trust that the member from Ottawa will soon influence the member's own colleagues in this House to come around to a broader and more realistic point of view in that area. Has the member talked to him lately? Has the member decided whether he is a rational young man talking rational things? If he is, why does the New Democratic Party not change its position and support a move in this direction?

Mr. Peterson: Mr. Speaker, does the minister not feel that, in his capacity as Minister of Consumer and Commercial Relations, he could have been very helpful in this entire matter, recognizing as he does that energy prices are a reason for some of the increases in rents? Could he and his government not have been helpful by holding Hydro increases to five per cent, to conform with the restraint program, so that landlords would not have had to pass those costs through and, therefore, they would not have been reflected in higher rents? Did the minister not abdicate his responsibility in this matter?

Hon. Mr. Elgie: Mr. Speaker, I think that question is being asked without an honest understanding of the problem. As the Leader of the Opposition knows full well, Hydro applied for a 13.9 per cent increase. The Ontario Engery Board, recognizing that we were in a period of inflation restraint and saying so specifically, endeavoured to reduce Hydro's demands to the bare necessities, recognizing it is in the midst of a very large capital expanding program. The member and I both know that. The last time the Liberals used Hydro as a gimmick was in 1934. They were elected as a party in 1934, they cancelled Hydro projects, and they brought them back four years later at triple the cost. They should not put themselves in that silly position again.

Mr. Philip: Mr. Speaker, can the minister inform the House why neither his ministry nor the Ministry of Municipal Affairs and Housing nor the Residential Tenancy Commission can provide the figures on the number of units that are being exempted from the present rent review program by going over the $750 a month mark or by being occupied after January 1, 1976? Can he also inform the House why the Ministry of Municipal Affairs and Housing, which did a study on rent review, did not deal with the essential problem he is talking about, namely, the effect of financing on rent increases? Can the minister tell us how he can possibly expect to have a rational rent review program when neither he nor the Minister of Municipal Affairs and Housing (Mr. Bennett) has taken the initiative to do the kind of research on those essential questions so that he can come down with policies to protect tenants?

Hon. Mr. Elgie: Mr. Speaker, it is only two or three years since the present rent review pro-

cess was put in place, and I would like to think the majority of members in this Legislature felt they were putting a good system in place.

We are facing unusual times in terms of rising interest rates and increasing energy costs, things that are beyond our control unless we pull together to try to resolve these issues and face them. I trust the honourable member will soon be doing that.

But, having said that, I know there is some information that is not available from the Ministry of Municipal Affairs and Housing or from our ministry, primarily because the information we gather comes only from those landlords who come before us for rent review purposes. I think the information that is made available from them is very satisfactory, and it is possible to make reasonably good estimates about other areas. For example, I think the estimate is that some 15 per cent of units in the Metro area are not under the rent control program.

ONTARIO MUNICIPAL BOARD APPOINTMENTS

Mr. Conway: Mr. Speaker, my question is to the Attorney General. Given the heightened public interest in the appointment to increasingly and ever-sensitive quasi-judicial positions such as the Ontario Municipal Board and knowing, as we all do, of the minister's deep and long-standing concern about the integrity of the administration of justice, I was wondering whether the Attorney General might share with this House today the criteria by means of which he makes a selection for that very important quasi-judicial board, the Ontario Municipal Board.

Hon. Mr. McMurtry: Mr. Speaker, these decisions are made on recommendations to the executive council. Obviously the basic criterion is the ability of individuals to serve the public interest on a very important administrative board. The background of the individual is obviously relevant to the appointment, as is his overall education and experience.

The confidence which the public of this province has demonstrated towards the Ontario Municipal Board is a pretty good indicator of the very excellent choices we have traditionally made.

Mr. Conway: As I always do, I read with great interest the press releases from the office of the Premier (Mr. Davis). I note that, effective today, there is a new appointee to the Ontario Municipal Board, Mr. Ernest F. Crossland of Newmarket, whose only claim to fame appears to be that he was twice the president of the York North Progressive Conservative Association. I note as well that within a few weeks' time the OMB will become the home of Mr. Gary Harron, who has carried the Conservative banner in Huron-Bruce.

In view of the ignominy and the complete want of public confidence surrounding the disgraceful appointment of one Morley Rosenberg, QC, to be effective January 1, 1983, can the Attorney General indicate what criteria additional to direct association with the Progressive Conservative Party or some other allied usefulness are part of the appointment process?

Quite frankly, the appointment of many of these people indicates to many of the unsuspecting public in the land that the only apparent criterion seems to be a direct association with the Conservative Party. Is the Ontario Municipal Board the Tory senate that it appears to be?

Hon. Mr. McMurtry: I think any fair and objective review of the order in council appointments of this government, certainly during the seven years I have been privileged to serve as part of this government, will indicate a number of appointments of people who have been involved in public service of one kind or another—

Mr. Bradley: Morley Rosenberg included.

Mr. Kerrio: What are friends for?

The Acting Speaker (Mr. Cousens): Order.

Hon. Mr. McMurtry: —and whose political backgrounds represent all three parties represented in this Legislature. I think a fair and objective perusal of these appointments will point this out. Certainly public service, political service and the willingness to be involved in public service are legitimate criteria.

2:40 p.m.

LE COLLEGE DE HEARST

Mr. Allen: Mr. Speaker, I have a question for the Minister of Colleges and Universities.

I want to say I welcome the statement she offered when the House last sat, on restructuring the universities of northern Ontario and that I have read the accompanying companion document on le Collège de Hearst.

As the minister knows, the most delicate part of that operation concerns le Collège de Hearst and what it symbolizes for the accessibility of Franco-Ontarians to post-secondary education in the region.

Would the Minister add a supplementary to her statement explaining the priority which the ministry gives, not only to the survival but to the enhancement of the educational capacity of le

Collège de Hearst? And will she perhaps explain further some of the funding and other devices the ministry intends to develop to see that is done?

Hon. Miss Stephenson: Mr. Speaker, the proposal which was outlined on Friday morning was a proposal for the restructuring of the various institutions at the university level in northeastern Ontario only. It does not encompass northwestern Ontario.

In addition, at the present moment there are discussions going on in the light of the report received by the Ontario Council on University Affairs and by the ministry from the chartered accountants firm of Drouin, Paquin et Associés Ltée. regarding the ways in which it would be possible to assist le Collège de Hearst to continue until the restructuring is completed. We are examining all those proposals at this point and will undoubtedly announce at a later date what the mechanism will be.

Mr. Allen: I am not sure whether I read the minister's statement as an affirmation of the ongoing viability of le Collège de Hearst as a component or whether there was some qualification in her remarks. There was not a great deal that was tangible in what she said. Since there is a large francophone community in that part of the province, and given the small proportion of the committee that will be bringing forth the recommendations which the francophone community makes up, would she consider as a positive, affirmative action on the part of the ministry supplementing it by adding either a new member or raising the proportion, ensuring that the proportion of francophones will be more than two to eight on that committee?

Hon. Miss Stephenson: Since the designated vice-chairman will be a francophone, since there is a specific requirement that one of the representatives from Laurentian University be a francophone and since, obviously, the representative from the area of Hearst will be a francophone, there will undoubtedly be at least three francophone members on the committee. As a matter of fact, there may be more. It is quite possible that those who choose may choose an increased number of francophones. Those choices will be made in northeastern Ontario, not by the ministry.

I remind the honourable member that a considerable French-language educational program is delivered within the ambit of Laurentian University itself. It has a significant francophone component and that is why we have made the requirement within the committee structure that one of the representatives of that university should be a francophone.

Mr. Conway: Mr. Speaker, before I ask the minister a supplementary, I am sure all honourable members would want to join me in welcoming to this chamber that favourite son of the Ottawa Valley, the former Ombudsman, Mr. Arthur Maloney, who is seated in the Speaker's Gallery.

Hon. Mr. Davis: A great Progressive Conservative.

Mr. Conway: It is good to see you, Arthur. His grandfather was a great Liberal member of this assembly.

Mr. Martel: Just shows there is not much difference, doesn't it?

Interjections.

Mr. Conway: Even the Minister of Education was once a Liberal, a putative candidate for this great party.

Can the Minister indicate whether what we saw here on Friday of last week, with the announcement of the reorganization and the restructuring of the university community in northeastern Ontario, is at last a first step in this minister's response to the Fisher report, if she remembers that ticking time bomb, that want of confidence sign by her own deputy minister about the chronic state of the university community? Was that announcement on Friday the first of a series of statements that will at last indicate where the minister and her government stand with respect to the Fisher report?

Hon. Miss Stephenson: Mr. Speaker, as an individual who could never have been considered even a putative Liberal, although at one time the current House leader tried to woo me into that camp—

Mr. T. P. Reid: Are you sure that's what he was doing?

Hon. Mr. Davis: Now we know.

Mr. Nixon: She was impregnable.

Hon. Miss Stephenson: Right. His singular lack of success in that area is obvious.

I would only like to say to the member for Renfrew North, oh ye of little faith, who has asserted that this is but the first step, that we have taken many steps since that report, which is not called the Fisher report but the The Report of the Committee on the Future Role of Universities in Ontario, was released. There have been many discussions and we shall be pleased to make public the succeeding steps which will occur in the fullness of time in

response to that report, and to other examinations of the current state of universities right across this country.

I have stated clearly to the honourable member that the next time there is a conference such as that—to which he was not invited, alas and alack—I shall try to assure that he will be invited, so he will feel no sense of deep hurt.

COLOURED FUEL PROGRAM

Mr. Riddell: Mr. Speaker, a question to the Minister of Revenue. Is he aware that his coloured fuel program is causing farmers a lot of grief and expense as the dye in the fuel is plugging the injectors causing a tremendous loss of power? It is actually ruining the injectors and the fuel pumps which have to be replaced at great expense to the farmers. It is plugging the filters preventing the fuel from getting through to the injectors. Does the minister understand that his coloured fuel program seriously interferes with the timely operation of farm equipment, and that it adds significantly to the already exorbitant costs of the farm business?

I have brought a number of problems to the minister's attention from the standpoint of both the farmers and the distributors. Is he now prepared to withdraw this ill-conceived program? Is he prepared to pay the expenses incurred by the farmers because of a program that they had nothing to do with implementing?

Hon. Mr. Ashe: Mr. Speaker, it is quite obvious the members opposite have not done much research as to the numbers of dollars that have been paid out, or will be paid out, to the various segments of the industry that have assisted in the implementation of the coloured fuel program. The actual costs involved, in most instances, can be recovered from the ministry and funds have been made available since the program was first announced. Not all those funds have been paid yet because the costs of some of the actual changes to equipment, or addition of equipment, etc., have not yet been submitted for payment, so that conclusion is rather erroneous to say the least.

As far as the other aspects the member refers to are concerned, we have had no indication whatsoever of the kind of problems to which he has been referring. I would have to suggest it has been a great area for somebody to blame if they happen to have mechanical trouble. I would like to point out that the coloured fuel program has been in effect in nearly every other jurisdiction in Canada for a great number of years with no problem.

We are talking about an additive that is on the basis of 20 parts per million, that has a combustion temperature lower than the product in which it is mixed, and burns with no residue. We have had no facts of any kind to substantiate what the honourable member has just indicated.

Mr. Riddell: I will send a list of the farmers' names to the minister. He can answer them.

Hon. Mr. Ashe: That's fine.

Mr. McGuigan: Mr. Speaker, I would like to point out to the minister that when he brought in the program, apparently the Gasoline Handling Act was overlooked. As he knows, this act requires that a double compartment be placed between class one and class two fuels. Has his ministry adjusted the allowable compensation to assist the fuel dealers to convert their tank trucks? The cost of converting both truck and tank can be as high as $20,000. I believe the government allows $4,000. Has he adjusted that program?

2:50 p.m.

Hon. Mr. Ashe: Mr. Speaker, we have looked into that particular aspect. It was drawn to our attention a while ago. There is no doubt there was a difference of interpretation in the Gasoline Handling Act. There is also no doubt that similar products can be in adjoining compartments with no problem. There could be a few instances where some distributors could possibly be, shall we say, a little more inconvenienced than before. We are looking at each individual representation.

But I must say it is our view to date that, other than possibly causing a little inconvenience, it is not a problem. Many of the firms have already gone to the installation. They have gone to the single bulkhead with no problem at all. I suggest that will satisfy probably 99 per cent of the situations that are brought forward.

Mr. Swart: Mr. Speaker, does the minister realize that what he has done in regard to the coloured fuel is really an admission that not only is he prepared to assess additional costs to the farmers and to the distributors, but in fact he does not trust the honesty of the farmers? With that recognition, would he consider abandoning this program and going back to the previous procedure?

Hon. Mr. Ashe: Mr. Speaker, I will not get into any specifics. There could be a bit of an embarrassment on the other side if we got into those situations, so I will not. The members opposite are not aware of the commitment of this goverment to deregulation. If nothing else,

besides hoping to make the system and the pass-through costs and the taxes that are due to the province and hence to the people of Ontario better respected and paid, we have put into effect with the coloured fuel program deregulation to the nth degree. Before, tens of thousands of people had to fill in forms; now it is relatively few. It is too bad the member does not research the issue on which he is speaking. As usual, he has absolutely the wrong end of it.

LAKE SUPERIOR BOARD OF EDUCATION

Mr. Stokes: Mr. Speaker, I have a question of the Minister of Education.

Does the minister recall a brief presented to her ministry by the representatives of the Lake Superior Board of Education asking her to change the school board trustee representation? Is she aware that this 14-member board, made up of six trustees from Manitouwadge, three each from Marathon and Terrace Bay and two from Schreiber, has now been changed by her ministry for this forthcoming election to five from Manitouwadge, two from Marathon, three from Terrace Bay and four from Schreiber? Schreiber pays 4.4 per cent of the levy; Terrace Bay, 40.1 per cent; Marathon, 31.2 per cent; and Manitouwadge, 23.3 per cent. This means a taxpayer in Manitouwadge will pay $469; a taxpayer in Terrace Bay will pay $336; a taxpayer in Marathon, $333; and a taxpayer in Schreiber, $151. Does the minister think this is fair?

Hon. Miss Stephenson: Mr. Speaker, I do recall a letter that was sent with certain names appended to it by several representatives of the Lake Superior Board of Education; specifically, one from Manitouwadge and two from Terrace Bay, if I am not mistaken. I also recall receiving from other sources opinions that were entirely opposite to that contained in the petition from those representatives asking—and I believe the date was September 26 or 27—that by order in council we amend that piece of the legislation that controls the matter of representation for the purposes of electing school boards.

It is my understanding that it is not possible to amend a piece of legislation of this type by order in council, and the legal opinion that was sought was given rapidly. The board members were informed that it could not be carried out in time for the November 8 election, and that it would not be appropriate or legal to do it by any other method than by changing the law itself.

We informed those members that the specific problem related to that board's concern would be a part of the report of the commissioner appointed to look at the problems of the Lake Superior board. That commissioner has been carrying out his duties. I do not have a report from him as yet; he has been asked to report by February 1983. I am sure he will and I am sure there will be recommendations regarding both the matter of representation and perhaps even the matters of assessment. I understand he is discussing these matters with the Ministry of Revenue and the Ministry of Municipal Affairs and Housing.

There are several other boards with something similar in the way of problems as they perceive them—I think about 20 in the province altogether—and a specific study is being carried out on these matters in order that we will have the appropriate legislation ready before the 1985 municipal election.

Mr. Stokes: The brief I was referring to was presented to this ministry, to the Ministry of Revenue and to the Ministry of Northern Affairs in February of this year.

We have now received a letter signed by the reeves of Manitouwadge, Terrace Bay and Marathon saying, "We the undersigned duly elected representatives" of those towns, "representing the citizens of our communities, are unanimous in insisting that the Minister of Education freeze the trustee representation on the Lake Superior board at the 1981 level until Mr. Rodger Allan has had an opportunity to report."

He will not report until February, so we are going to be stuck with this iniquitous situation for another three years. Is there any way the minister can assure people in that jurisdiction that if Mr. Allan does recommend a change—and I am sure he will; I have spoken to him—there will be a way of changing it without living with this very unfair situation for a further three years?

Hon. Miss Stephenson: I shall most certainly investigate that. The concern I had was that the petition specifically demanded we do something by order in council, which, to my understanding, is not legal and would not be appropriate.

Most certainly when Mr. Allan has made his report we shall consider his recommendations very seriously to determine whether something can be done before the November 1985 election that may alleviate some of the concerns being expressed.

PROVINCE OF ONTARIO SAVINGS OFFICE

Mr. Yakabuski: Mr. Speaker, I have a ques-

tion I shall direct to the Treasurer (Mr. F. S. Miller). I have already discussed it with the Minister of Revenue (Mr. Ashe).

The Province of Ontario Savings Office was opened in this province many years ago, when there was not a socialist member in this province. Why does the government continually resist the many requests I have from constituents and others to expand the savings office across this province and, perhaps through a new federal charter, have it go into other areas, similar to other banks, granting loans etc.?

We realize that the great growth periods this province experienced in the past 20 years were the time when this expansion and enlargement should have taken place. We realize now, with the decline in the economy, that it would not be logical to do it at this precise moment.

The Acting Speaker (Mr. Cousens): Question.

3 p.m.

Mr. Yakabuski: Will the Treasurer give us an undertaking that as soon as the economy returns to anything that is somewhat near normal, he will give serious thought to expanding the operations of the Province of Ontario Savings Offices and opening many more across this province?

Hon. F. S. Miller: Mr. Speaker, I find that an interesting question from the operator of an independent retail outlet. Obviously I would not give the undertaking to expand them, but I can say that at least once a year I and my colleagues at cabinet review thoroughly the extent of the functions of the POSO, and will keep on doing so.

Mr. Yakabuski: Would the minister have the figure on the top of his head as to the revenue the 21 savings offices bring to the people of Ontario annually?

Hon. F. S. Miller: I cannot answer that. I suspect one would have some trouble sorting out the true overhead of those operations to determine whether they made a profit.

The only real advantage to me as Treasurer at the moment is that I have a fair amount of money available, because we do borrow that money from the Province of Savings Office for the use of the province, without going to other sources, at a rate that is basically comparable to that at which I can borrow money elsewhere.

Mr. Conway: Mr. Speaker, in view of the very understandable concern of my colleague the member for Renfrew South, can the Treasurer indicate to the member's constituents and mine specifically what the case is against doing what the member for Renfrew South has asked the Treasurer to do?

Hon. F. S. Miller: Mr. Speaker, the case against doing it would be the case against government taking over any entity that is in the private sector.

Mr. Philip: As usual, Mr. Speaker, the Conservative Party has no sense of history. Does the minister not realize that the very thing being proposed by the member for Renfrew South was introduced by a social democratic government? In fact, it was the United Farmers of Ontario in coalition with the Labour Party which introduced the savings offices.

Last year, the Conservative Party in Alberta was able to float $1.9 billion in mortgages and in loans to farmers and small business. Why is this government so ideologically tied up in the private enterprise system that it cannot expand that kind of competition to the banks to put that kind of money out there to create jobs?

Hon. F. S. Miller: Mr. Speaker, I am not sure of the functions of all those Alberta agencies except to say I believe they are using funds that are not derived from deposits but from our payments.

HOMES FOR SPECIAL CARE

Ms. Copps: Mr. Speaker, I have a question for the Minister of Health. I wonder whether the minister might comment on the death of Jimmy Black and tell us what action his ministry is taking to implement the recommendations of the coroner's inquest. The minister may recall that Jimmy Black was a patient at a home for special care licensed by the Ministry of Health. He was involved in a fight with one of the sons of the owner of the home and subsequently died from the injuries received in that fight.

Hon. Mr. Grossman: Mr. Speaker, I am very upset with the circumstances surrounding that incident. All six of the recommendations of the jury are being reviewed very carefully by two teams, one within the ministry and one as part of a triministry review of the whole homes for special care issue.

I do not mind informing the House that the whole question of homes for special care is one that I intend to have dealt with, with some finality, some time within the next six to 12 months. There is an extraordinary amount of work being done in the ministry because of our concern over the homes for special care. I am not satisfied that they are performing the kind of

function they ought to be performing, given their case load.

Ms. Copps: How can the minister be so hypocritical as to stand here in this House today, some two years after an employee of his ministry was advised about the very problems surrounding this house, not only in writing but also at a meeting that was convened to look at those? Two years ago, a ministry employee who is responsible for homes for special care in that area was advised of the problems of improper medication and of potential violence directly from the family that owned the facility. A year and a half ago, a second, senior official in his ministry was informed in writing of allegations of potential brutality, also involving the family.

I believe that the death of Jimmy Black lies in the hands of the Ministry of Health and that the minister has no right to talk about programs his ministry will be implementing now when it had the facts at its disposal two years ago and refused to act on them.

The Acting Speaker (Mr. Cousens): That is not a supplementary. Is there a final supplementary?

Ms. Copps: The supplementary—

The Acting Speaker: You sat down. You did not have a question.

Ms. Copps: Mr. Speaker, the question is, does the minister accept responsibility for the death of Jimmy Black since his ministry has completely neglected its duties and the whole coroner's inquest last week began the coverup of the facts surrounding ministry negligence in the issue of homes for special care?

Hon. Mr. Gregory: She should apologize.

Hon. Miss Stephenson: Right now.

Hon. Mr. Grossman: I do not have much I can add to those who want to pass judgement on the honourable member and her suggestion that a coroner's inquest was nothing more than a coverup for the Ministry of Health. I shall let the public judge the hysteria with which the member makes those allegations.

Those allegations are no more true about the impartiality of a coroner's inquest that was critical of some of things that were done in that particular circumstance than they are accurate about the Ministry of Health. Therefore, I shall let the member's own performance, her hysteria, her overstatement, her allegations about everyone involved in the system speak for themselves as we work to remedy whatever legitimate concerns there are about the system and as we work in a responsible way to withstand the silliness, irreponsibility and damage she does to her own credibility, the system and the coroner's inquest system itself.

Ms. Copps: Mr. Speaker, on a point of order: If the minister or anybody involved had read the transcripts from the hearing, he would have known—

The Acting Speaker: I do not see how that is a point of order. Final supplementary.

Ms. Copps: —that the information tabled was information at the coroner's inquest.

The Acting Speaker: No, I am not accepting that as a point of order.

CHRONIC CARE COPAYMENT FEES

Mr. McClellan: I have a new question for the same minister, Mr. Speaker. The question has to do with the fact that today the Ministry of Health is raising the chronic care copayment fee to $14.72 per day, which is an increase of 3.3 per cent since the last quarterly increase.

Since I am told inflation is running substantially below that—my information is that inflation for the past three months has been running at about 0.5 per cent per month—why has the minister increased the chronic care copayment fee at the rate of 1.1 per cent per month, which will annualize out to a 13.2 per cent increase? This is a not a fanciful speculation, since last year the chronic care copayment was raised by 12.7 per cent.

Why has he raised the chronic care copayment fee in the first place? Why has he raised it above the rate of inflation? Does he not agree that this makes a pretty sad, sick joke out of any government pretences to be running a restraint program under Bill 179 or any other auspices?

Hon. Mr. Grossman: Mr. Speaker, I think the honourable member will find upon reflection that the copayment has been increased precisely the same amount in percentage terms as the old age security/guaranteed income supplement. As has been the case traditionally, those adjustments are made to cover the accommodation portion. The members have been through this debate every time these adjustments have been made.

As the member also knows, there is a periodic adjustment to the balance, the comfort allowance, which currently stands at $96 per month, and at some stage there will be another periodic adjustments to the accommodation allowance. We have been through this many times before. This is entirely consistent with government policy for some time.

3:10 p.m.

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, MANAGEMENT BOARD OF CABINET (continued)

Mr. Chairman: We are continuing with the estimates of Management Board of Cabinet. If memory serves me correctly, the member for Brant-Oxford-Norfolk had the floor.

Mr. Nixon: Mr. Chairman, it might be better if the people taking part in the estimates went out—

Mr. Chairman: Yes, and we could do it in the hallway.

Mr. Nixon: —and left the rest of the people here. Perhaps that might be the more convenient way of dealing with this matter.

Mr. Chairman: Would you put forward a motion?

Mr. Nixon: Mr. Chairman, you could lead us into the Ontario Room or something like that.

I want to speak about one more matter having to do with the Chairman of Management Board's undoubted heavy responsibilities in attempting to restrain the enthusiasms of some of his colleagues. The matter I want to deal with particularly, and I would like it if he would indicate to the House his role in this situation, is the continuing unwarranted expenditure in the development of a new city in rural Ontario, known as Townsend. I want to speak briefly about it because it is a clear case where surely more mature judgement ought to be brought to bear on the Ministry of Municipal Affairs and Housing.

As the members know, the commitment has been made by the ministry over the years and has been taken up with enthusiasm by the present minister that there shall be a major urban centre built in the rolling farm land of Norfolk county.

Mr. Chairman: Order. For some reason we are awfully noisy, and I know the honourable member would like to be heard.

Mr. Nixon: I do not care.

Mr. Chairman: You do not care? You are not helping much. All right. I guess the member does not care.

Mr. Nixon: It is quite all right with me, Mr. Chairman, because I know how important it is that these people get their conversations in. It is always so much nicer when the House reduces itself to the irreducible 12 who normally are here doing business—mostly made up of people getting extra indemnity, you will notice, Mr. Chairman, including you.

Anyway, in that instance the Chairman of Management Board is no doubt aware that our commitment now is substantially in excess of $60 million. I do not want to spend the time of the House going over the decisions in the past that led the government to make a commitment to bring many thousands of acres of good farm land into government ownership with the express purpose of establishing a new city in the area. The minister is aware, as I am, that some of the decisions of the time were unbelievably obtuse in that we now have these lands scattered across the province, none of which is being developed on the basis of the original plan, except Townsend.

In that instance a decision has been made by the government of Ontario to give the regional municipality of Haldimand-Norfolk an offer they couldn't refuse, and that is to build a major new municipal government centre. The government, apparently with the approval of Management Board, has given them the land on which this new regional headquarters is to be built. It has provided them with the working drawings. It is taking up all the expense of the landscaping. It has given an undertaking that provincial offices will be ensconced in the new $2-million to $3-million building when it is completed. It has also undertaken to rent the old, abandoned offices; so the municipality would be foolish indeed not to accept the proposal put forward by the government.

As a matter of fact, friends of mine who were attending the laying of the cornerstone of this new edifice indicated to me that 20-foot trees were brought in at provincial government expense and planted the day before the conerstone laying so the place would look attractive to the four or five people from outside, or however many there were, who attended the ceremony.

I am concerned with the role of the Management Board and this particular chairman. I want to ask him whether he was aware of this sort of horrendous, unnecessary expenditure, this window dressing, which is going on at a time of restraint, in spite of the fact that he and the members of the Management Board have the responsibility to approve expenditures of this type before they occur.

I say to the chairman that it is enough to make a person like myself lose confidence in the

Chairman of Management Board. He ought to be riding herd on his exuberant colleagues who consider themselves upwardly mobile in the political system of Ontario and who have made these commitments to old Tory policies which they cannot seem to amend. They can never seem to admit that they have made a tiny mistake in the past, and they go on throwing good money after bad in a way that is completely unacceptable.

I have always considered the Management Board as something behind the scenes, not always playing politics, chaired by a man who may consider that he is not going to be the next Premier but perhaps the one after the next, a person who is not always scratching and clawing up the political pole. He knows he has achieved a certain prominence in public affairs. I have often said that if his real ability and merit were recognized, perhaps he would go further. Certainly, if I were a Tory voting at their conventions, I would give him every favourable consideration. That is about as hypothetical as one can get.

I am very much concerned about that. It is a clear instance where, in a time of restraint, the Management Board has failed miserably in its undoubted clear responsibility to curb the unnecessary and expensive exuberance of the other members of cabinet.

I also want to make two other comments about our dealings with the employees of the province, one very brief and the other in closing.

I feel the concept of having a special hiring process to go to the universities and other areas to hire the very best young men and women as they come out of post-secondary education is one that should be reconsidered.

I have mentioned the late John Robarts a couple of times in these remarks. I recall that when he came into the Premiership, he instituted a program whereby outstanding people were drawn out of the private sector and from the universities and brought into the public service under circumstances that were well recognized by everyone. They gave the Premier a program that enabled him to develop a public service which in many respects was second to none.

These people soon matured over a period of five or six years, travelling from one ministry, or department as it then was, to another. They took over senior administrative and policy-forming positions and gave us, I submit, a position of excellence in dealing with the other provinces and the government of Canada in the 1960s and early 1970s. This was particularly true when our tax agreements were being renegotiated and when we were coming into medicare and the Canada pension plan.

My own feeling is that we have not continued with that in any significant or obvious way. It means we are losing out to the private sector and other governments. While this is not particularly a criticism of senior civil servants now, I believe the leavening effect of such a hiring practice or such an internal program is one we ought to resume.

In closing, I also want to say that I had the interesting responsibility of serving on the standing committee on administration of justice during the first day of hearings on Bill 179. The president of the Ontario Public Service Employees Union was presenting the views of the public service as he represented them.

3:20 p.m.

There is no doubt in my mind that there are many individuals in the public service, particularly at the lower end of the pay scale, who are suffering a substantial amount as a result of the restrictions on their pay changes. But I felt the president of OPSEU did not serve any of his members in a real or effective way in its brief and the way he submitted it to that committee. I felt there was such a substantial lack of moderation in his presentation that it was difficult to take his submission seriously in any way.

I do not particularly intend my comments to be a personal criticism, but in this instance I can only presume the president himself was largely the author of the presentation. I thought there was such a lack of moderation in the approach that I could hardly believe the representative of the public employees of Ontario was bringing forward his views in such a way.

There is no reason at all why he cannot express his deep and personal objection to the legislation. There is nothing wrong with that. But I felt the words and attitudes in which those objections were couched were such that he was not serving the public servants of the province in as effective a way as he otherwise might have been able to do. I felt the presentation was objectionable. Under those circumstances, I found it difficult to respond in a more appropriate way to the people who are suffering individually under the provisions of Bill 179 as we expect it to be enacted.

I know the minister has some substantial responsibility in this connection. It may well fall on his shoulders to attend the clause-by-clause

consideration of the bill. As the employer spokesman for the government in this connection, he can express views collateral to those expressed by the Treasurer (Mr. F. S. Miller). After all, he speaks for all of us in a sense as the chief employer of the government of Ontario through the Civil Service Commission.

We look forward to hearing his views in this connection. It may be that he will see fit to attend the clause-by-clause section of the bill so we can have the benefit of his views as the principal minister in this connection.

Mr. Cassidy: Mr. Chairman, I have a number of comments to make about these estimates, which come at a time that is extremely crucial and critical for the public servants of Ontario and for the relationship between this minister and the government as a whole and the people who in good faith have committed themselves and undertaken to carry out careers in the public service of Ontario.

Although Bill 179 touches on many areas in the parapublic sector, such as municipal workers, day care workers and so on, today I want to talk specifically about the minister's responsibility for the 65,000 or 70,000 Ontario civil servants as well as the 17,000 unclassified civil servants since, as Chairman of Management Board and the minister responsible for the Civil Service Commission, he is therefore responsible to the Legislature for Ontario's relations with its civil servants.

I do not need to tell the minister about the concerns that are abroad right now in the civil service about what the government has done, but the minister himself has shown less than an overwhelming awareness of the consequences of the government's actions over the course of the summer.

The statement he gave us on Friday, which talked about a number of areas in which Management Board has been active, was interesting, useful and productive. There are areas of his ministry that have sought to be effective in management terms, but only one out of 24 pages of the minister's statement was devoted to the impact of Bill 179, despite the fact it is a principle of sound management that, where things are proceeding as they should, one focuses on the trouble areas, the areas of difficulty, and tries to iron them out.

Yet in this case, the minister almost completely ignored the area where his ministry and his government have taken steps that are potentially causing enormous problems in terms of the morale and efficiency of the people who work for the people of Ontario.

What I have done, and I will send this over to the minister now, is to put together a number of questions for the minister which focus most specifically on the relationships between Ontario and its civil servants. I am a bit old-fashioned in this, but many years ago I studied the theory that the estimates process in a Legislature or Parliament was a means by which the accountability of the government to the people was exercised.

I am very disturbed over the debates we have had so far on Bill 179, because there has been a dialogue of the deaf. The government effectively has either copped out of the debate or else made vast, over-reaching speeches about how it is a good thing in macroeconomic terms. It has not talked about the unfairness of the scheme. It has not responded to the criticisms from this party, from the public service unions, from many people who are affected and, for that matter, from people who are experts and who are concerned about the state of labour relations in Ontario.

It is significant that in the committee studying Bill 179, the government majority refused and would not even have someone from Osgoode Hall, York University or Queen's University who was an expert in labour relations come before the committee to testify on the possible implications for labour relations in the province as a consequence of this bill.

However, I do recall for the minister the passage in the preamble of the Labour Relations Act which says it is a matter of public interest in Ontario to encourage harmonious relations between employers and employees. I remind the minister as well that in the past it has been assumed, perhaps wrongly, that the government of this province would seek to be a model employer, would try to pave the way in finding ways by which workers and employers could co-operate together, and would look for alternatives to the adversarial kind of relationship that too often prevails in the private sector.

There were some signs that some of those things were taking place between the Civil Service Commission and the largest public service union, the Ontario Public Service Employees Union. The relationship as described to me was a sophisticated bargaining relationship. Before he got sick, Mr. Waldrum—and I hope he returns to the job in good health very soon—and Mr. Scott of the Civil Service Commission met regularly with Mr. O'Flynn and other people from OPSEU. There are, albeit not

too strongly developed, employer-employee councils within most of the ministries and departments.

Some things were getting done. Some things were being done to try to develop a more co-operative working relationship. For my part, I believe that is something we have to look for in this province in the future. We look at the competition from the Japanese and the eastern and other Asian nations and so on, and we realize that in the 1980s and 1990s we simply cannot proceed as we have been, with management absolutely in favour of keeping its rights and grudgingly giving as little as it can to workers. Then workers, perhaps provoked and not even initiating, respond in kind. There is a kind of adversarial relationship that is counterproductive, certainly does not get things done and certainly does not help to make for either a happy working life or productivity.

Before my questions to the minister, perhaps I could start by reminding him that in January the Premier met with Mr. Pilkey of the Ontario Federation of Labour, Mr. Sean O'Flynn and the labour delegation and, at that meeting, categorically ruled out wage controls for Ontario's public employees.

To quote from the front page article in the Globe and Mail: "The Premier says he is opposed to singling out public employees for a policy of wage controls. He is also against any form of program of controls on wages, prices and profits for both the public and private sector. Mr. Davis made it clear yesterday to the delegation led by Mr. Pilkey that Ontario would not support controls for public employees."

One cannot be more unequivocal than that. When those statements were made, I heard no caveats, no ifs, ands or buts, no hidden conditions coming from the government. They were absolutely clear.

I know that Sean O'Flynn, as president of OPSEU, was relieved at the statements that came from the Premier at that time. He said, in fact, "This whole thing about public service controls has been a mischievous kite to distract attention from the real economic issues," an opinion with which I certainly concur.

3:30 p.m.

I hope the minister takes this seriously. I will ask him to respond to each question, when it is his turn to speak, and I am going to try to leave some time rather than occupy the whole debate with another rehash about Bill 179. People know where we stand on that particular bill, and the purpose now is to see where the government stands in responding to the concerns that have been raised.

My first question is: Now that the government is imposing Bill 179, is this what the Conservatives meant in March, 1981 when they said they would keep the promise? Is this what they meant when one day the Premier promised to categorically oppose wage controls in the public sector, and now he is doing it?

Secondly: Some time ago the Ontario government and the Ontario Public Service Employees Union signed a collective agreement covering about 17,000 of the office and clerical workers for both 1982 and 1983. The 1983 wage increase for these workers is being rolled back by an average of $1,084 per employee, or six per cent. My question to the minister is: If a private employer took such an action, would that not be breach of contract, and could the employees not take their employer before the Ontario Labour Relations Board? Is it not also breach of contract when Ontario acts in the same way?

My third question relates to the goals that were set out in the preamble to the Labour Relations Act which says that it is in the public interest to further harmonious relations between employers and employees. Is that still government policy, and if so, how does Bill 179 contribute to that goal?

My fourth question is very fundamental and it relates to the way the government deals with its employees. Up until the summer there had been regular or monthly contacts between Mr. Waldrum and Mr. Scott, on the government side for the Civil Service Commission, and Mr. O'Flynn and other people for OPSEU. Those meetings have not been held since some time in June, as I understand it. Initially, the reason for that may have been related to the illness of Mr. Waldrum, I do not know.

However, it must be more than a coincidence that for the entire period, the 12 weeks from the time the government began to consider public sector wage controls, which we understand was some time in late June, until the announcement in September that this was what the government was going to do, there was no effort made to have any consultation in any meaningful way with any of the public service unions that were involved. Neither with OPSEU, to whom this minister has a particular responsibility, nor for that matter with the service employees of Canadian Union of Public Employees, nor with the other unions representing other workers who have been affected by the government's nine and five program.

Why was this fabric of trust that was being built up by the government through such things as the Waldrum-O'Flynn meetings suddenly ignored when it came to the biggest thing of all: a fundamental decision by the government to breach its side of the agreement, its side of the collective bargaining framework, its side of the good faith relationship which had been established with the public service employees of this province? Why was no effort made to consult either the public sector workers, or their unions during that entire period? Why can they consult on the little things, but not on the big things?

My next question is: Given the precedent of Bill 179, what guarantee do civil servants have that the government will bargain in good faith in the future? I mean that very seriously. If you sign an agreement in another year's time, what guarantee is there for those people who sign it on the other side that you will hold to that agreement? What guarantee is there that you will not come marching back to this Legislature, if it pleases you, in order to once again breach an agreement as you have breached the agreements which were made with 17,000 of the lowest paid workers within the Ontario government?

If one side is failing to bargain in good faith; if one side is keeping some of its cards hidden below the table, and is saying, "Heads we win and tails you lose," I ask the minister—if he has any sensitivity to the question of collective bargaining—what does that engender on the other side? Certainly it encourages some people on the other side to say, "If they are going to throw away the rule book for the bargaining process, then so are we." Believe me, if that continues, the already deteriorated relationship will get worse.

My next question to the minister is, does he think this is really a serious matter? If it is serious, how is it that it got such little attention in his opening statement to the Legislature? Has he no sense of his responsibility? Has he never heard of the British parliamentary government tradition that, when a minister is overruled on a matter of principle—and surely the maintenance of good-faith bargaining with civil servants is a matter of principle—he resign and leave the cabinet, that he express himself publicly in that way?

Why does that never occur in this Legislature, or for that matter among the Liberals in the federal Parliament? Why does he hang on to office? Nothing could be greater than the issue of principle involved in this particular case.

If this matter is serious, why has the minister—up until last Friday, at least—failed to turn up at any of the hearings on Bill 179 at which a string of people have been trying to make their views heard? These are not just public service union representatives. They are also people from the private sector; individual workers and for that matter some people who actually support, or support with reservations, the legislation the government is taking. Why has the minister left all of that to the back-benchers? Why has he not bothered even to take a few steps to show that he cares enough to listen to some of those representations?

Many of the clerical workers who are having their 1983 wages rolled back are women, and a number are single parents. I would like the minister to state how these workers are contributing to inflation. Could the minister raise a family on a paycheque of about $16,000 a year? If not, how does he expect them to do that?

The price of milk went up by seven cents a litre just the other day. Half of that was a price increase for the dairies that was not even checked by the government of Ontario. A mother with a couple of kids to look after on $16,000 has to pay that increase on top of the increases that took place in February and late last year. The price of milk has been going up and up. How does she pay for that when her income, which is inadequate to begin with, is rolled back to the point where it will rise by five or six per cent less than the rate of inflation?

My next question to the minister relates to the bill itself. It is a bad bill. I guess the minister is dimly aware of what some of his experts have been telling him. If so, I am not sure why he has not done anything about it. It is a bad bill in that even if you were to accept, and we do not, that action on the wage front was desirable, it seems to me that the minister responsible for the public service should at least be trying to ensure, as much as possible, an element of fairness in an act which is essentially unfair.

Given that, why has the Statutory Powers Procedure Act, which flowed from the McRuer report 20 years ago and has become a well established tradition in administrative law in Ontario, essentially been thrown out the window in the procedures laid out under Bill 179? Why is it that workers or unions have no right to a hearing? Why is it that workers or unions, having no right to a hearing, have no right to due process? How is it there no right for workers who are affected by Bill 179 to appeal?

How is it that the Inflation Restraint Board is

being given unilateral power to make its decisions without even being required to give reasons for its decisions? Since it gives no reasons, it is impossible effectively to launch any kind of an appeal to the courts over the exercise of its discretion.

Why should public sector workers be subject to a process which is so contrary to Ontario's tradition of administrative law and to natural justice?

3:40 p.m.

In the same vein, with respect to wage cuts for different groups of public servants—or wage rollbacks if the minister cares to call them that, we agreed that the workers will get a lot less than they would have had their contracts been implemented—why are wage cuts for different groups of public servants imposed for different periods of time? Why do some groups, for example the office workers, get a cut for one year while some get a cut for two years and some risk having a cut for three years if it happens that they had a contract that had not been settled for some time when the government's announcement was made?

Why did the government once again choose to pick on the hospital workers, telling them that because of a one day difference in the expiry date of their contracts they would be put under the controls for two years rather than for one? What is fair about that? And if it is not fair, then why the discrimination between different groups of public servants?

If Bill 179 is finally passed, how will the government re-establish the sense of trust with its employees that is so vital to morale and efficiency? I really mean that, Mr. Chairman. I believe very strongly that the kind of work place that is developing over the course of this decade and the next is going to be greatly different from that of the past; but, as was true in the past, it will be true in the future that workers should not be put in the position where they will have to deal single-handedly with an employer who has the might of being management and the power to hire, to fire and to discipline without any restraints or countervailing power in the hands of the workers.

I believe as well, it would be in the interest of managements, as is true in this government and in places like the automobile industry, to have organizations on the other side that could act effectively to represent workers. In representing workers, they would also ensure that there could be common purpose among workers rather than having hotheads on one side, other people who are perhaps underperforming; that kind of thing, the different variations you would get if you did not have a union. That is one of the reasons I think it is in the interests of management to encourage the existence of unions, but unions that are adapted to the kind of work place and technological change we are going to face.

It is awfully tough to have, in large organizations, morale maintained by top-down, paternalistic management structures. I believe that morale and efficiency can be better maintained if the workers have someone on their side as well, and that means having a union.

My question, then, is how will the government re-establish the sense of trust with its employees that is so vital to morale and to efficiency? How will it counter the feeling of cynicism that is spreading through the public service now? There are people who say: "There is no use busting your buns. There is no use really putting out an extra effort when something has to be done. If they are going to pay me so much more and roll my wages back regularly, I will do what I have to. But when the clock sounds at 4:29 or whenever my working day is over, that's it. I'm closing up. I'm going home. And if I can leave a few minutes early, I will do that as well."

The government has said that public sector workers will still be free to bargain nonmonetary items. Perhaps I can ask the minister specifically, since section 18 of the Crown Employees Collective Bargaining Act reserves almost all nonmonetary areas to the employer, what does he intend to do about that restriction? Will he keep it? Or is he serious when he says that workers can bargain nonmonetary items? If he is serious about it, does he then intend to reform this section of CECBA, and how?

I would remind the minister that section 18 says: "(1) Every collective agreement shall be deemed to provide that it is the exclusive function of the employer to manage, which function, without limiting the generality of the foregoing, includes the right to determine (a) employment, appointment, complement, organization, assignment, discipline, dismissal, suspension, work methods and procedures, kinds and locations of equipment and classification of positions; and (b) merit system, training and development, appraisal and superannuation, the governing principles of which are subject to review by the employer with the bargaining agent, and such matters will not be the subject

of collective bargaining, nor come within the jurisdiction of a board."

Perhaps the minister could say what exactly are the nonmonetary items that the Ontario Public Service Employees Union can bargain, given the exclusions in section 18 of the Crown Employees Collective Bargaining Act.

Now that the government has made civil servants a political football by bringing in Bill 179—and that is what they are: the government thrashed around for the summer, did not know what to do about the economic crisis, so finally said, "We have to be seen to do something so we will bash the civil servants." Is the government prepared, having dragged public servants into the political arena, at least to change the law to allow civil servants political rights so that they can fight back? Or is the government going to continue with the kind of system that drags these matters into the public domain, and eventually leads to no job for people like Mr. MacAlpine, the fellow who contacted the member for Lake Nipigon (Mr. Stokes) over maladministration within the government and eventually was kicked right out?

Is the government going to say that any public servant who talks about the wage restraint program will be talking about the platform of a political party, since the New Democratic Party has made its position on Bill 179 very clear, as has the government? Are they, therefore, in talking about it, violating the Public Service Act and, therefore, liable to dismissal? The minister is perfectly aware that under the Public Service Act anybody who talks about a matter that forms part of the platform of a political party transgresses the law and in transgressing the law becomes liable to all kinds of disciplinary action.

This question of political rights for public servants is now a part of the platform of the New Democratic Party of Ontario and the matter of what should be done about Bill 179 and our opposition to it is also a part of the platform of the New Democratic Party, as has been ably expressed by Bob Rae during his campaign to come into this Legislature as the new member for York South, which is going to happen on Thursday.

Perhaps I could just conclude this section by asking the minister, in case I missed something, to explain just how the rights of Ontario public servants under Bill 179 differ from those of trade unions members under the new laws that have just been passed in Poland. I thought a bit about this before putting this question on my list for the minister, because I know people in this country like to say, "We enjoy rights here that are obviously not available in the Communist bloc." That is perfectly true. We do enjoy those rights in general. But when we get down to specifics, the situation for public servants under this particular bill does not really represent the kind of traditional rights and freedoms we have assumed attach to everyone and that, in fact, have now been enshrined in the Charter of Rights under the Constitution.

Can a public servant talk about Bill 179? Since our opposition to Bill 179 is part of the NDP platform, technically the answer is no. Can a public servant work actively for a political party in the province? The answer is no. Their political rights are sharply circumscribed, except for the fact that they can actually go to the polls and under certain circumstances present themselves for office if they get the approval of government.

Can public servants strike? They cannot in Poland. They cannot in Ontario either. Their political rights are circumscribed in Poland. What they can bargain about is very sharply circumscribed in Poland under the so-called law, the joke of a law, that has just been brought in by the Polish parliament to replace the freedoms that were granted for Solidarity. The right to bargain in Poland is sharply circumscribed; but the right to bargain for Ontario public servants for the next year or two is also sharply circumscribed and we have no indication now that the ministry and government, having broken faith once, will not do it again and again.

3:50 p.m.

Let me come back to the rights that have been taken away. Under section 7 of the Crown Employees Collective Bargaining Act, employees are given the right to bargain on a number of subjects, almost all of which are monetary or have monetary implications. There is to be no bargaining on monetary issues over the course of the next year or so. Among other things, that takes away from the union its basic raison d'être and thereby weakens the union. In weakening the union, we weaken the public service and we weaken the right of the people of this province in the public service to have reasonable freedom.

The employees' organization is authorized to bargain with the employer on terms and conditions of employment except those matters that are exclusively the function of the employer under subsection 18(1) which I have just read out. In other words, on nonmonetary issues, most of the areas are reserved exclusively to the

employer. Then it says that the employee organization can bargain on rates of remuneration, but that is not true now.

It says they can bargain on hours of work, overtime and other premium allowance for work performed, but those have monetary implications, so they cannot bargain for them now.

They can bargain for the mileage rate payable to an employee. That is monetary, so they cannot do it now.

They can bargain on benefits pertaining to time not worked by employees, including paid holidays, paid vacations, group life, health insurance and long-term income protection insurance. Those are certainly monetary matters as well.

Promotions, demotions, transfers, layoffs, or reappointments may in fact be bargainable, I am not sure. There is not much left out of the original areas in which it would be appropriate that a trade union could bargain. The questions of grievances, classifications and the job evaluation systems are subject to the restrictions that are in subsection 18(1).

In other words, the areas where one can bargain are sort of grace and favour as far as the government is concerned. Having just read the article by Ewa-Teresa Eliasz Brantley which was in the Toronto Star last week, it sounds a lot like the situation Poland. "The new unions are expected to be allowed only to look out for the material welfare of their members and must eschew any even vaguely political activity—such as promoting workers' interests in a Communist state." I am not sure to what extent the Ontario Public Service Employees Union can promote workers' interests in a democratic capitalist state like this province.

"Accordingly, the new unions have the right to strike—provided they can find a cause other than wages or the government's economic policy." Here OPSEU does not have the right to strike whatever the pretext and any strike that it undertakes would be illegal.

"Political and sympathy strikes are of course banned by the October 9 legislation." They are banned according to the legislation in Ontario as well. In Poland, the groups that are barred from exercising the right to strike—and it is a long list—may be expanded by the national legislature during times of economic crisis or that suspension of the right to strike may occur altogether in times of necessity.

We have effectively just seen the same thing happening for a group of 500,000 people in the province, many of whom did have the right to strike before the legislation was introduced in Bill 179 and do not have it now.

Finally the Polish authorities have the right to cancel the registration of any union. There are devices by which the registration of the public service employees union could also be cancelled by a government agency here in Ontario. I understand this province is not Poland, but I would still like the minister to explain to what degree for the next year or two do the rights of our public servants as trade unionists essentially differ from the rights of Polish trade unionists?

I would like to turn to two or three other subjects that I would ask the minister also to respond to on this list. I appreciate it will rather be a lengthy list, but I think it is important.

My first question is about affirmative action. I could make a lengthy speech about this. But I will simply point out to the minister that the vast bulk of male public servants in the province earn more than $20,000 a year, and the vast bulk of female civil servants in the province earn less than $20,000 a year, a situation that has prevailed for a very long time.

As I pointed out in the questions I sent to the minister, in 1977, the average salary of women crown employees in Ontario was 72.3 per cent of that of men. That gap, far from narrowing, has widened and, in 1981, women earned, on an average, 72 per cent of the average salary of men in the public service. As minister responsible for the public service, could the Chairman of Management Board tell me if this is evidence that Ontario's affirmative action program is really working? Is it not true that, if we continue at this rate, in some 60-odd years women will be earning half of what men earn, rather than the 72 per cent as it stands at present?

Next, Ontario has been experimenting with office automation projects at an accelerating rate. There have been a number of projects prior to the office automation project that was mentioned by the minister in his opening statement. I am concerned that these things are taking place without involving either the workers or their representatives. The workers involved are the clerks who are going to have to sit at terminals, the women who are going to have to deal with new work processes. These are very important to the working conditions and, in some cases, to the jobs themselves of 70,000 civil servants in the province. Will the minister ensure that the Ontario Public Service Employees Union, or other unions, become full partners in the government's planning for office

automation in order that the rights and the health of the workers are protected?

Finally, in this area, last year the government paid the Public Service Superannuation Board a return of 9.44 per cent on civil servants' pension contributions. That was far below what private pension plans were earning. Is this another example of government restraint? If not, will the government share the administration of its superannuation funds with the affected employees and ensure that the funds earn a more equitable return? The government is liable to say, "We make it up in terms of the back payments for actuarial deficiency." Those actuarial deficiency payments would not be required had the Ontario government not consistently underpaid the superannuation fund in terms of interest payments.

The investment policy of the superannuation fund is the most ludicrous of any pension plan in the province. Every year the government puts the contributions into 25-year bonds, regardless of whether a prudent manager running a pension plan would do that, or would rather mix the investments in various ways to ensure a more adequate return to the affected workers. My question is: Will the government share the administration of its superannuation fund, thereby setting, I might say, an example for the private sector?

In other words, will the government put substantial representation from the workers' side, and, for that matter, from the side of the management employees and other people who are a part of that fund, on to the governing board of the public service superannuation fund? Will it ensure they have the technical resources in order to play an active role in determining the investment policies? Will it will free the chains around the investment policies of that superannuation fund in order that the money can be invested in the best interests of the employees?

4 p.m.

My final point in this area is the discrimination in fringe benefits against 17,000 unclassified workers in Ontario. This is a very serious problem. The people at the Ontario Public Service Employees Union thought they had made some progress on this with the employer and then found it was a hollow and empty promise.

I believe it was about a year ago when these discussions went into high gear between people like Mr. Waldrum and Mr. O'Flynn, at the highest level of the civil service and opposite number contact. At that time, in response to its efforts, the union was assured comparability in fringe benefits for these unclassified workers. It was assured—I believe by Mr. Waldrum himself—that the government thought the matter should go to the bargaining table: He said, "We have the political will to get this done." There was unequivocal assurance that the government had finally seen the case the union was putting for comparability in fringe benefits and hourly pay rates and that it was prepared to act at last.

Why is that important? It is important for several reasons, first because the the ministry itself is seeking to take some full-time jobs and translate them into permanent part-time jobs on a job-sharing basis in an experiment to see if there are new working patterns for the 1980s and 1990s. The union has some reservations about that. I understand their reservations but, none the less, I think that if they proceed with care, this is something which probably should be tried.

However, it is clear that you cannot ask somebody to go from a full-time to a regular part-time job and in the process lose the ability to contribute to pension funds or to get Ontario health insurance plan benefits and the other things they were getting when working full-time. Therefore, I understand the ministry now has an interest in getting some change in its agreement with the union about part-time workers.

However, when this matter went to bargaining, far from exercising the political will to do something that had been promised, the government suddenly changed its position. They decided this was not even a bargainable matter. In fact, finally it had to be determined by the courts that this matter was bargainable. Consequently, the arbitration which came down on working conditions a few months ago did not include fringe benefits for part-time employees. That was still before the courts because of the obfuscation and delays injected by this government. The matter has still not come up before the arbitration panel.

I would like to know if the minister is now prepared to expedite it or, better still, whether he is prepared to indicate that the government will implement the promises it made earlier in quiet discussions with OPSEU. Will they implement their promise now, or is this yet another example of bargaining in bad faith?

I would point out to the minister that for the most part these part-time employees are not casual workers, that is, people who work for a few days and then leave. There are large

numbers who work full-time for a substantial part of the year; for example, the people who work up north for the Ministry of Natural Resources. There are also a substantial number of people who are working part time on a continuing basis and in effect are permanent part-time employees for various ministries. We are not talking of a handful of people but of 17,000 workers as of September 1981. That is close to 20 per cent of the total number of people employed by the Ontario public service.

Why should they constantly find themselves deprived of OHIP benefits because their relationship with the Ontario government is not of the right nature? Why should they have no access to the dental plan if they are working for the government on a regular basis? Why should they be excluded from making pension contributions and benefiting from building up a pension entitlement?

After all, if they are spending six, seven or eight man-months or woman-months a year working for the government as a permanent part-time or an irregular full-time employee, there is nowhere else they can pile up pension contributions. When is the ministry going to be prepared to take that particular step?

I have a number of other things I would like to raise in the area of government spending. However, it might be appropriate to give the minister a chance to respond to some of these questions, because I think it is vitally important that the minister act to ensure that accountability in these estimates is a reality and not just the myth it too often is.

Hon. Mr. McCague: Mr. Chairman, I wonder if I might have permission to move down to the front row.

The Deputy Chairman: All agreed? Agreed.

Hon. Mr. McCague: What kind of car are you driving today?

Mr. Nixon: A Citation.

The Deputy Chairman: I hope the minister is not holding a grudge because the member accused him of driving a Cadillac?

Hon. Mr. McCague: Mr. Chairman, I was interested in the comments of the member for Brant-Oxford-Norfolk (Mr. Nixon). Each time he has the opportunity to speak directly to me, he mentions a Cadillac Seville I had in 1975. It probably cost less than the car he bought a few days ago. However, I remember the red Camaro he had during his days on the highway safety committee. It could get by neither a service station nor radar, as I recall, and he was on the highway safety committee.

The member for Brant-Oxford-Norfolk did not raise many points in his comments. I realize he was put into action very quickly as the member for Grey-Bruce (Mr. Sargent) was AWOL at the very last moment last Friday. I do not see him in the House today.

Mr. Cassidy: He is still coming down from Owen Sound.

Mr. Nixon: I think he has been called up to the National Hockey League.

Hon. Mr. McCague: To sell badges.

One of the things the honourable member kept referring to with consistency was our computer expense of $180 million. I think you have probably pointed out to yourself that $130 million is the figure I used in the remarks I made.

Mr. Nixon: I should have referred to it as a very large amount of money.

Hon. Mr. McCague: That is right. I consider it very large. Coming from a riding much the same as yours, I agree with you that it is a tremendously large amount of money, as necessary as it may be.

The member spent considerable time talking about the questions on the Order Paper, and why, if our computer system is so great, we cannot just push a button and have the answers come out. It is very difficult for us to program the computer to answer a question your imagination might conjure up from time—

Mr. Nixon: We used your administrative headings.

Hon. Mr. McCague: I realize you did, but—

Mr. Nixon: I tried to make it as easy for you as possible.

Hon. Mr. McCague: I am sure you did. That certainly is one of the things you always try to do.

Mr. T. P. Reid: One of our more enduring characteristics.

Hon. Mr. McCague: That is right. The member is enduring if nothing else.

Anyway the systems are not designed so the honourable member can get an immediate answer to his question. He knows that as well as I do. Those computers are not in the hands of Management Board anyway. The Ministry of Government Services has about 80 per cent of the computers in government. They are available to anybody in government seven days a week, 24 hours a day, if they wish to use them.

However, the problem that is encountered in responding to a lot of the questions the honourable member raises is not one of access at all; it is a question of whether the appropriate application software systems have been built in by the ministries to answer those kinds of questions, and it is impossible to anticipate what one might pose as a question to managers or what might be posed by managers, members of the Legislature, special interest groups and so on.

However, the focus of our computer systems is not simply to answer the questions that might be raised in the House but also to improve the level of service to the public; and for that we make no apologies.

Now, what else did the member raise other than Townsend? He has inquired from time to time—

Thanks for the use of your purse, Madam Minister.

He has inquired about the Townsend item and how many times that has come to the board. I will have to get the answer to that for the member. I do not know whether we have heard—

4:10 p.m.

Mr. Nixon: Nobody on the government side has ever responded. Bette, he has got your purse.

Hon. Miss Stephenson: No, he has not.

Hon. Mr. McCague: The proper person to respond, of course, is the Minister of Municipal Affairs and Housing (Mr. Bennett). The Management Board does not interfere with what each individual ministry does, provided it is within the manual of administration. There may have been times in the last 10 years when something came to the board, but I am not able to answer that for the member at this point.

He did raise the point of the auditing of transfer payments, and I am glad the Minister of Education and Colleges and Universities (Miss Stephenson) has returned. He seems to intimate that the cost figures, the per pupil ratios and so forth as they affect one board to the other, are not available. My information is that they are available from the Ministry of Education. They are public documents. They are not sent out to the public but I guess they go to the directors of education throughout the province. The per patient statistics are published by the Ministry of Health in their document called Hospital Statistics. The Ministry of Municipal Affairs and Housing has similar data for municipalities published in Local Government Finance in Ontario.

I think what the member is asking me to provide is actually available to him. I can understand what he is saying when he says he would far sooner have that kind of information than the page they put in the Brantford Expositor once a year, which may not tell him what he wants to know.

A question was also raised about the number of permanent classified versus unclassified employees and the criticism that we were cutting down on classified and adding them to the unclassified. There has been no move at all within government to do that. It is true that the figure was higher. I think the member was using figures from March 1980 to March 1982. He skipped a couple of years there. The important thing is not the mix as much as the totals at the end of the year. In March 1980 we had 82,523, and in 1982 it was 81,826.

Now, we have had a progression downward each year. It is becoming much more difficult to do, and still maintain the same level of service, than it was in the past. We did use some part-time staff for various activities such as the Ontario tax grant program and the Residential Tenancy Commission. Those figures vary from time to time, but the one we give at the end is the March 31 total.

Now he asks, "Why March 31?" Granted, it is the lowest point in the year. You raised the issue of it being higher during other times of the year. That is true. In the summer, it approaches 95,000 and even above when there are Experience students, a lot of unclassified employees in the parks and, if one happens to have a stepped-up program as we did this year, those figures will reflect on through the fall because of some of the eastern and northern Ontario forest-oriented programs.

The important point is there is one point in the year when we compare it; it is a true figure. The mix may change a bit from time to time, but we are making steady progress. I repeat that it is much more difficult than it used to be.

You raised an interesting point in the area of special hiring and the government going to universities to consider the graduates. I am not familiar with that program as it applies only to government. I know a little about the program as it applies to industry. I presume what you are recommending is that there be a program where the government goes and hires only university students.

I presume you would recommend a selection

process or competition, as we now have, to hire some of the brighter students. I am not sure what the union would think of a closed competition such as that, but it would certainly be interesting to consider that, as you have mentioned, and we can do that in the weeks to come.

Was there anything else the member for Brant-Oxford-Norfolk would like an answer to? I think that answers all the questions he raised.

Mr. Nixon: I have some questions that I will put on the first vote.

Hon. Mr. McCague: The member for Ottawa Centre (Mr. Cassidy) has been kind enough to give me a list of questions that were not quite as easy as all that. While he said he was not going to raise the issue of Bill 179, he did have a rather cute way of raising it. It is slightly different.

Mr. Cassidy: I don't think I promised not to raise it.

Hon. Mr. McCague: That is right; I did not count how many times it is on the sheet here.

Mr. Cassidy: I made no such promise. I thought this was very important.

Hon. Mr. McCague: I can understand that.

It is true that as the Premier (Mr. Davis) indicated early last year, he was not happy about singling out any particular segment of society for controls and that he was pursuing the matter with the federal government. As all members of the House well know, the Premier thought there should have been a Canada-wide program of controls when we were experiencing these economic difficulties.

When it was decided something should be done, the decision was made to put some controls on those agencies and people to which the government directed most of the payment, or transfer payment as the case may be. It is unfortunate that Bill 179 does affect a couple of categories for which there had been negotiation and agreement as to 1983-84. However, the policy of the government was that if one was going to have a program it had to affect all equally.

In your paper you mention a figure of $1,084 less per employee. I would have to check that figure. I have not used that figure myself. Obviously, had it not applied evenly as to years across government, some would be ahead for a while and others would fall behind when the controls come off; and the bill is for a period of one year. The problems the honourable member and his party keep bringing to our attention will be addressed at that time.

4:20 p.m.

With regard to his concern about the public interest in furthering harmonious relations between employers and employees, whether or not this is still government policy and, if so, how does Bill 179 contribute to that goal, I certainly think we have been proven to be, and still are to this day, a good employer. The Premier has mentioned that there is a greater sense of security for those who are employees of the Ontario government.

The member opposite is going to raise the issue that there are a lot of surplus employees, and he is going to refer to an article in the paper that said 32, 42, 44 or whatever number of people from the Ontario health insurance plan were going to be laid off. The group who were specifically mentioned were people who had refused a job within the agreement—in other words, a certain job, or within the 40-kilometre radius. We are working very diligently to place all those people who are surplus to our needs for whatever reason such as the OHIP move, the Revenue move, or the winding down of the chest clinic. The law of averages says that we will not be able to place all those people, but I can assure the member that we are fairly diligent in trying to find employment for them.

"Will the government end the guarantee about bargaining in good faith?" We have always bargained in good faith, and I think the member is clever enough to know that sometimes it is necessary in the wider public interest to have controls. We have no intention of being anything other than good employers or of not bargaining in good faith in the future.

I do not intend to attend the hearings on Bill 179. That bill was introduced and is being carried by the Treasurer (Mr. F. S. Miller). I am privy to and do review the Hansard of the events from time to time.

The member raised a question about the $16,000 a year. I realize and the member realizes that this is below the industrial average, which I understand is around $19,500. A good number of the people in this category are second-wage earners. I realize that it is difficult for a person who is a single parent, depending on the number of children, to live on it.

I have no intention, Mr. Chairman, of answering all the questions the member has raised. I want a chance to do some review on a couple of them. One thing I am certainly not going to do is compare Ontario to Poland as the member has chosen to do—I know those things are catchy when picked up by some of his constituents—

but there is no comparison, and to compare us to such a country is rather nonproductive.

We are not making the civil servants a political football in any way. The member knows, as do all members, that under present economic conditions it was thought proper, and I think it is proper, to do something. In the absence of the feds doing anything on a national scale it was decided by cabinet to have a program here where, as I said before, we would have some direct interest in that we pay them a good deal of the moneys they pass through.

It has been suggested often that we should have a program for Ontario alone, but I think that also would be a real problem because of the transborder effect. In fact, it would affect every province in the Dominion.

You mentioned that the average salary of women crown employees in Ontario in 1977 was 72.3 per cent that of men, and in 1981, 72 per cent. That is true, but it is sort of easy arithmetic. Our problem is that we have to persuade a lot of the women in the civil service to advance or even that they should advance. As the member knows, there are a lot more men than women at the senior levels of government. We have been sincerely trying to coerce them in whatever way is possible to apply for those jobs and to train themselves for them, if necessary. We have been making some progress, but in a lot of cases it is their own reluctance that holds them back.

Mr. Cassidy: That is like saying the women themselves are responsible for not getting ahead.

Hon. Mr. McCague: I did not say it that way. The member always turns things around. What I said was that the majority of the numbers at the top are men and that it was because we have some problems in interesting the ladies in moving or trying to move up to those jobs.

Ms. Bryden: You agree with Piccininni that they want to stay in bed; is that right?

Hon. Mr. McCague: Alderman Piccininni is not part of this government. The member can go out and fight with him on the street if she likes, but not with me in the House. I did not tell him to say it.

However, we do have difficulty persuading the women to apply for these jobs. The member knows that if there is a competition, if it is a man versus a women and they are practically equal in the competition, the woman will get the job. It has been the case that there just are not enough of them wishing to move up through the system. I think she knows that. On the other hand, it is a political point and I can understand why she would want to make it.

I will leave a few of the questions the member for Ottawa Centre has raised so that I can say a bit about the unclassified staff. It was not Mr. Waldrum who told Mr. O'Flynn that there was a will to satisfy some of the needs in the unclassified area. I said it. There is the political will in government to come to some resolution of this matter.

The problem was that it got bogged down. Whether Mr. O'Flynn or my staff misinterpreted what I said, or whatever the case may have been, I think when I said that to Mr. O'Flynn he probably thought: "Their gate is wide open and we are going to get everything we want. Let's go to it." That is not what I said at all.

4:30 p.m.

We are prepared and will move in the unclassified area. I think the member knows the difficulties. He mentioned full-time, part-time and strictly term or task. There are many combinations within that. We were not bargaining. He did refer to when it got to the bargaining table. It was never my intention that it get near the bargaining table but, rather, that we would sit down and agree there were certain things we would do. So it got bogged down; then it got to the tribunal and arbitration, and there was a general slowdown.

The will to continue with those discussions is there and, if Bill 179 passes, I think it will be a good year for the union and government to work on that very project.

Upon further study of the questions and comments the member made in between, I will attempt to answer the questions more fully.

On the question on the superannuation board, the issue raised by the member has been raised many times. We do have the report of the Royal Commission on the Status of Pensions in Ontario. That matter is still being reviewed. The government will make a policy decision on that later.

The Deputy Chairman: Shall we then proceed to vote 401?

Mr. Cassidy: On a point of order, Mr. Chairman: I would like to return to the questions I have raised. Can the minister indicate which ones he intends to answer on Friday? If he intends to do that, I will not pursue them this afternoon, but I would like some guidance.

The Deputy Chairman: That is a very fair point of order. How would the minister like to deal with the questions raised by the member

for Ottawa Centre? The choice is now or as we proceed through the vote at different points.

Hon. Mr. McCague: On question 9, I know what the member is saying. It is basically a one-year program but those—

Mr. Nixon: May we know what that question is, Mr. Chairman?

Hon. Mr. McCague: "Under Bill 179, wage cuts for different groups of public servants are imposed for one, two and three years. Is this fair? If not, why the discrimination?"

The member knows there was a problem as to what to do with contracts that had not been settled for more than one year and for the one-year program. That is where he gets his one, two and three years. Basically, as far as the Ontario public service is concerned, except for a group of doctors within the system, it is a one-year program, two years in the case of some school boards and, I guess, three years in the case of the odd school board.

If you are going to have a program and you are going to set a date, you have to find some way of dealing with it. Who is to say on the three-year ones the member is specifically referring to that those settlements will be any different after they go to the Inflation Restraint Board from the ones that others got earlier on? On the two-year ones, yes, there will be some that will be nine per cent and some that will be higher out there. I presume problems can be addressed at some future date. The one-year program is very clear.

I will get a more complete answer to the member's question 11. As I told him on number 12, I am not going to get into the Poland versus Ontario discussion.

Interjection.

Hon. Mr. McCague: The member may want a more complete answer to question 15, which is the 72.3 per cent versus 72 per cent. I can provide that.

The Deputy Chairman: The minister is leaving the member for Brant-Oxford-Norfolk more confused than usual, because he is giving the answer to the question without telling the question.

Mr. Cassidy: I will send a copy to the member.

The Deputy Chairman: But he is still mumbling.

Mr. Nixon: Mr. Chairman, I am not mumbling. The minister is mumbling: "As to question 8, I will not mention that now. Question 9 is about Poland; maybe I will deal with that some other time." It seems to me that if the critic for the New Democratic Party wants to put a question in this House, he should do so. If the minister wants to answer it, then he can do so. Frankly, it may be your job to mumble a little bit if the work of the House is not proceeding in some way that is comprehensible.

The Deputy Chairman: Thank you. In that case, I will ask the minister to answer the question so we know which question he is answering, unless he has finished answering the questions we are asking.

Hon. Mr. McCague: I am finished answering the question.

The Deputy Chairman: We will now proceed. I appreciate the assistance from the members.

Mr. Nixon: I am always glad to help. I have a couple of questions. It is like that old joke where somebody just calls out a number and everybody laughs or does not laugh.

An hon. member: Such as 401.

Mr. Nixon: Yes, 401. I thought you had heard that one.

On vote 401, ministry administration program:

Mr. Nixon: Mr. Chairman, I would like to ask the minister how his responsibility as Chairman of Management Board coincides with his additional job in cabinet of looking after cabinet appeals from decisions of the Ontario Municipal Board and certain other quasi-judicial bodies.

Hon. Mr. McCague: How it coincides? Is that the question?

Mr. Nixon: Yes.

Hon. Mr. McCague: I am Chairman of Management Board. I am chairman of cabinet. If the member's area of interest is legislation and appeals to cabinet, traditionally it has been the chairman of cabinet who is chairman of the committee that considers legislation and appeals to cabinet. But I am not sure I get the flow of the member's question.

Mr. Nixon: I wanted to say something about a couple of those appeals. There may be some other appropriate time and place to do that.

The Chairman of Management Board has the responsibility as a very special officer of the cabinet to prepare the information upon which his colleagues act in instances of appeal, such as the appeal put forward on the decision by the consolidated hearings board to establish an Ontario Hydro line to take power from the Bruce development into southwestern Ontario. Does the minister consider that an appropriate matter for some discussion under these terms?

Hon. Mr. McCague: Mr. Chairman, I would be glad to answer the member's question if you permit him to ask it.

The Deputy Chairman: He has asked it.

Mr. Nixon: I appreciate that. It has never been made clear to me just how the cabinet responds to certain matters of appeal. The instance in point is the recommendation from the consolidated hearings board officers having to do with the provision of electrical power, under the circumstances I briefly described, into the southwestern part of the province.

The minister is aware that of the six alternatives offered by Ontario Hydro, none was clearly recommended by the board but there was one with a substantial amendment associated with it. The problem about which I would like to have a few minutes of discussion with the Chairman's permission, and the minister might clarify it for me and my constituents, is how can we possibly have an approval of an amended route for the transmission of electricity when that route did not come under the review and scrutiny of the communities and individual land holders that otherwise would have been involved?

After all, with the six alternatives put forward by Hydro, people were indicating that this comes close to their properties or communities and were expressing a view. The alternative that was a part of the so-called final solution, going along Highway 401, was not one that elicited comments from any of those communities since it was not one of the original proposals. How are we going to get justice in an instance like that?

4:40 p.m.

Hon. Mr. McCague: I think the member is following a good political position: he does not ask the question until he knows the answer. However, I have here a little map for him. If he would like to come over, I will show it to him.

In the general area he is talking about, which is the Highway 401 route, there are two ways to the south of that the line could go, as he well knows. Really, the consolidated hearings board said, "Why don't you consider the third one while you are at it?"

The member knows, probably because of the consolidated hearings board decision to look at this, that everybody in that area is going to be aware of it and the dialogue will be very good in that area. Nobody said it was going that way. He also knows that there will be another hearing process. As I understand it, they are considering one of three routes rather than one of two.

Mr. Nixon: I do not want to pursue this unduly, because there may be some feeling that we should do it on another occasion, but since the minister is here answering questions, let me say that he must surely be aware that Ontario Hydro's main supportive proposal was to put a double 500-kilovolt line from Bruce to the London area, from A to B; but the final proposal is going to take it from A to P to Q to R to S, right around the mulberry bush, through the province.

The proposal to take it along Highway 401, as I have already indicated, was not a part of the original package. The consolidated hearings board has made a recommendation including that. This was appealed to the cabinet, and the cabinet has more or less approved the consolidated hearings board proposal.

It may be that the lines will never be built along Highway 401, but in fact the general approval has been given. It is only within the two-mile or four-kilometre range on each side of 401 where the precise location now can be argued. Is the minister saying that we are going to have what we in South Dumfries call a hearing de novo, that the recommendation originally coming forward from the consolidated hearings board is of no effect and that we are going to start right back at the beginning again with the original Hydro proposals plus this additional M3 plus 401?

Hon. Mr. McCague: Subject to my being given the liberty to correct the record tomorrow if I am mistaken, my understanding is that it is as shown on the map which is here. The member is well aware of this map.

I think what is being considered is the one along the 401, the one down below, which basically goes through Paris, and the one below that, which is in the centre of Delhi. That is my information, and I hope it is correct; if it is not, I will correct the record on Friday for the member.

Mr. Nixon: I never heard one of those routes called "basically through Paris" before. I am sure the minister knows how that puts a clammy hand on my throat. It just seems so absurd to me that the recommendation of Ontario Hydro to take it straight from A to B is going to be circumvented by this strange process whereby the people up in Middlesex decide it ought to go through somebody else's backyard. I guess the fact that it is one of my several backyards is a matter or concern, particularly since my people did not even have a chance for any input.

That is really the point: My people have been cut off without chance for any input into this, and the basic decision has been made.

It is fine for the minister to say that we are going to have lots of chances for further discussions but, really, it has been approved by the consolidated hearings board, the appeal has been rejected and there have been no hearings involving my people at all.

It is really scary, particularly when you see the efforts to which Ontario Hydro have gone to have these public forums in which they discuss their six alternatives and then our people wake up and find that the Chairman of Management Board and his buddies have approved a route that was not even under discussion after all the money that has been spent for these superficial information meetings all over the place in the areas that were involved. It really has all the earmarks of a major miscarriage of justice, a travesty of what the minister ought to be trying to do.

Hon. Mr. McCague: I think the member has had this explained to him several times. My information may not be correct but, as I understand it, there are now three routes under consideration in that general area. There is a very large public involvement. Following that there is another hearing.

Mr. Nixon: How much public involvement did you have in your cabinet meeting? None.

Hon. Mr. McCague: It is a cabinet decision, and there was—

Mr. Nixon: There was no public involvement in the original decision, which was appealed.

Hon. Mr. McCague: There most certainly was. All the municipalities were informed, as I understand it.

Ms. Bryden: Mr. Chairman, I was rather shocked to hear the minister defending the actual rollback of wages for the 17,000 public servants in the clerical category on the grounds that a great many of them were secondary wage earners. Surely if the government believes in equal pay, you do not remunerate people on the basis of whether they are secondary or primary wage earners.

The fact is that 15,000 of the 17,000 in this category are women, and statistics show that a great many women who work do so not where there are two wage earners in the family but because they are single parents or single persons.

A great many people in this category cannot afford any cutbacks in their standard of living, but the minister is asking them to accept this kind of sacrifice. He says the government is not making a political scapegoat out of low-wage earners, yet the facts are simply the opposite.

For these 17,000 people there will be an actual rollback in the contracted wages which will amount to anywhere up to $1,000 in the expected increases for some of them. How can the minister justify that kind of discriminatory wage policy?

Hon. Mr. McCague: Mr. Chairman, as sometimes is the tactic by opposition parties, the member is taking the whole matter out of context. Maybe she has a copy of the questions posed by the member for Ottawa Centre. That is the other difficulty.

The member for Ottawa Centre asked me to respond to question 7, which says: "Many of the clerical workers who are having their 1983 wages rolled back are women, and a number are single parents. How are these workers contributing to inflation? Could the minister raise a family on their paycheque of about $16,000 a year? And if not, how does he expect them to?"

I said some of the clerical workers would be second-wage earners and some would be single parents; and, depending on how many children they had, at $16,000 it would be very difficult.

Ms. Bryden: Does the minister not believe in equal pay for work of equal value? Whether they are secondary wage earners or not, according to his definition, should they not all be paid the same for the same work? Other civil servants are not being subjected to this kind of wage rollback, because they have not signed a two-year contract.

4:50 p.m.

Hon. Mr. McCague: The member knows that, whether a male or a female is filling a particular job, basically the pay is the same.

Ms. Bryden: The restraint program is not treating women fairly, though, because there are more of them in the lower-paid jobs. Any percentage increases are smaller for them. There are more in this category who are being particularly persecuted by having this two-year contract the minister is breaking. I do not think he has answered the member for Ottawa Centre as to whether he would tolerate the breaking of any other contract the government had with any group or other people breaking contracts.

I want to refer briefly to the ministry's figures on affirmative action. The women crown employees' office has produced its 1980-81 report. Unfortunately, we do not have a later one. It shows that on affirmative action the Management Board secretariat spent a total of $7,188 in direct expenses and $11,500 in indirect expenses.

What can be done with that kind of pittance

in the field of affirmative action? Does it indicate perhaps one sixth of some person's time is spent on affirmative action? If so, how are they really able to carry on a program of trying to help women move into those higher-paying jobs the minister mentioned? He said they do not come forward; but perhaps there is nobody counselling them, encouraging them and helping them to get training if that is all the resources he is putting into the affirmative action program.

Hon. Mr. McCague: As the member knows, the affirmative action office is under the auspices of the Minister of Labour (Mr. Ramsay). In Management Board, it is true it is about a quarter of a salary, but we have few employees compared to other ministries. There is a quarter of one person's salary devoted to affirmative action.

Ms. Bryden: It seems to me the minister is saying women are not closing the gap because they are not coming forward, and yet he is putting a very small amount into helping them.

I want to draw the minister's attention to the figures shown here for Management Board. Of the people receiving training for improving themselves with government assistance, women were 43.9 per cent of those receiving training, but they received only 37.3 per cent of the dollars provided for training. Obviously they were getting less expensive training courses and that may be one reason why they are not able to move into higher-paying jobs.

He also said they do not come forward. Of the women who applied for jobs, there were fewer women accepted than the percentage who applied; so they were not getting the appointments either. Can he explain that?

Hon. Mr. McCague: The member knows it is much more than a case of applying. Whether male or female, an employee must be qualified for the job for which he or she is applying. All I can recite to the member is that at fiscal year-end 1981-82 we at Management Board had 132 females and 112 males. We may have to have an affirmative action program in the opposite direction at some point if we continue with this trend.

Ms. Bryden: The average salary is still considerably lower; the salary of women at Management Board as a percentage of the salary of men was 65.3 per cent, which is below the 72 per cent for the entire public service. There still is more room to close the gap in his ministry than in the total public service.

Mr. Cassidy: Mr. Chairman, I want to pursue that a bit. I point out to the minister—perhaps he is not aware of it—that the gap in salaries between women and men in his ministry at the end of March 1981 was $11,112. The average salary for women was $21,000 and something, and the average salary for men was $32,523. This suggests there is a great distance to go in a ministry that one would think should be an example to other parts of the government.

The minister has given us these rather fatuous and certainly patronizing remarks about the position of women. I had a look through some of the material that was published by the crown employees affirmative action office and the women crown employees office. What concerned me when I looked at it was how many areas now exist within government where the only barriers to women getting better jobs, more opportunities, more pay, different types of jobs and so on are institutional. Institutional barriers are there to be removed, to be alleviated or to be put down by the government. That means not only the Ministry of Labour, because it consults and advises, but also the minister responsible for the civil service, who is the Chairman of Management Board.

The minister may have heard of the term "systemic discrimination." This concept means that if you look at a particular institution and find that one group has all the good jobs and another group has all the lousy jobs or all the less-well-paying jobs, then you begin to ask yourself whether there is not a pattern there that is, shall we say, more than coincidental.

According to the 1981 figures, 73 per cent of the women in the Ontario public service earned less than $17,000, but 77 per cent of the men earned more than $17,000. As that report pointed out, in the previous year there had been increases that effectively brought the salaries of women up by $1,657 from the previous year, while the salaries of men on average increased by $2,331. In fact, the rate of increase in male salaries was actually a fraction of a percentage point greater than that in women's salaries.

In other words, not only are women not closing the gap but also the gap widened in dollar terms by about $800 between April 1, 1980, and the end of March 1981. We have to assume that this is going to continue, and I am afraid the rollback of largely women's salaries in 1983, which is now being decreed by the government in Bill 179, is just going to make the situation worse.

The minister says we should do something

about the fringe benefits for part-time employees. Has the minister not examined whether this would be permissible under Bill 179? Or has the government got itself in a position where no rectification of past injustice will even be possible because of the strictures of that law? I suspect he will find that in effect he will have to present a choice: no pay increase and some action on fringe benefits or else a five per cent wage increase and no action on fringe benefits.

The minister is a cabinet minister; I am an MPP. We are engaged in administrative, senior-level jobs. Women working in the public service today would like to have entry not only into executive jobs but also into technical, service, truck driving, chauffeur and similar jobs. Women are perfectly capable of taking those jobs, and yet somehow they are systematically and systemically barred.

5 p.m.

Why, in the resources technical section of the technical module occupations, for example, are there 504 men and two women? That is not a job where it is necessary to represent Canada or Ontario in some Arab country where there is discrimination against women or something like that. This is something we can handle entirely within our own borders.

In the engineering and surveying support, there are 526 males and two women. That is the degree to which equality of the sexes has been encouraged by your affirmative action program after five years.

In the investigation area, there are 58 males and two women in investigation group A. In property assessment, an area women are certainly competent to handle, there are 1,294 male assessors and 87 women serving as assessment officers. Big deal. In the agriculture support area, working on the experimental farms across the province I presume, maybe some of the prison farms, there are 269 males and just one woman.

It beggars belief that the government has not done what I did, which is, look at the report of last year or the year before, and say: "Hey, if we are serious about affirmative action, we have to get the word down to the people responsible for those areas, and tell them it is about time they started to hire and to promote women. It is about time they started to look at the casuals and unclassified staff and when they are hiring take some of the women who have demonstrated they have the experience and competence. It is about time they changed their ways because time is catching up with us and going too far."

In the area of law enforcement services, the Ontario Provincial Police, I presume, there are 4,002 male officers and constables in the OPP, and we have now come to the point where there are 86 women. The proportion of women in law enforcement has gone from 1.6 per cent in 1977 to 2.1 per cent in 1981. That is progression at the rate of one tenth of one per cent per annum. If we assume we would like to see an increase to the point where half the law enforcement officers are women, that would take approximately 475 years to achieve. I suggest this is a shade too long for women to have to wait for equality in Ontario.

Then come maintenance services, and I am going through this because obviously the minister is not aware. You should be aware that women do not think of themselves as "ladies" any more, in the sense you put it. It may be meant graciously and I hope you meant no offence, but for a lot of women a job is something they have to have. They have to live just as you and I do. They have families to support, commitments to make. They want the freedom to choose how they will live their lives so they do not have to be dependent on some guy. They are prepared to drive a truck or push a broom, if to be "a lady" means to be constantly in a low-paid job ghetto.

In trades and crafts, category A, there are 798 men and now, with Ontario in its enlightenment, one woman. That is what we had back in 1977 as well. Big progress. In the area of trades and crafts, C—I am not sure what that means—there are 982 men and 37 women. In the area of vehicle operation—I am not sure if that is mechanics or drivers or a bit of both—2,121 males and 11 females. In the area of vehicle operation, B, 440 males and five women.

Are you proud of that? That is all we have done. And this is despite five or six years of pious declarations coming from the Minister of Labour of the day, from the Premier and everybody else, and constant pressure coming from this side of the House.

In the area of communications, technical services category, there are 90 males and one female; engineering and surveying support, 1,600 males and 53 females; manpower training, 159 males and 13 females. How the devil are you going to get good training going within your ministry if almost everybody doing the training is male? That is a question that is well worth asking.

I could go on with those figures, but perhaps the minister could respond. As I asked before, is he proud of his ministry's record and his government's record in affirmative action?

Hon. Mr. McCague: As I have indicated before, we have nothing against women. The member can haul out those kinds of statistics. I am certainly not proud of the aspersions he tries to cast with those figures. I am not particularly pleased we have not made more progress, but people have to be trained and they have to take whatever training is necessary for them to apply for a job.

I have already said, and the member knows, that there is a reluctance on behalf of women to want to change their categories. Some do and some do not. He wants to cast the whole thing as if every woman in the service wants to move up and we are holding her back. That is not the case at all.

As I said earlier, a woman who is equally qualified with a man in a competition is very likely to win because we have said we are interested in having more women in senior positions in government.

The member also raised the question of discussions on the unclassified. I suggested this would be a good year for discussion on the unclassified. We and the union have to come to some agreement on what we are going to do in that area. We are ready to move, albeit not as far as the union would want, but we are willing to move in the area and I think it is a good year for those discussions. That is really where the whole thing got bogged down.

Mr. Cassidy: Perhaps I could pursue that issue next. Obviously, I am dissatisfied with what the minister has to say about affirmative action, but the point has been made. Perhaps the minister will take these points back and would fire some rockets in the direction of his civil servants and the women in cabinet and so on and say, "It is about time we started to get serious about this because we are not doing the job right now at all."

If the government does not set a lead in this area, it is hard to expect employers are going to come along and provide the leadership the government is failing to show.

With respect to discrimination in fringe benefits, I had not realized it was the minister himself who said, "We have the political will to act." Perhaps the minister could explain: Why did the union clearly understand that the matter would not be finally determined in the process of the discussions that were under way at that time, but would be determined at the bargaining table? If it was the intention to go to the bargaining table, as the union understood but the minister has now denied, why were all kinds of obstacles put in the way of those discussions at the bargaining table?

Even if the ministry had not intended the matter to go to the bargaining table, as the minister now states, could he please explain why a clear message was not given to the union at that time, saying, "We did not mean it to come here but this is the alternative route we have managed to take"? Why, instead, was it taken to the tribunal and the courts in an effort to rule that the question of fringe benefits for the part-time workers and the unclassified staff was not a proper subject of bargaining? What games was he playing? He sure left me confused and it is quite clear he left the union confused as well.

Hon. Mr. McCague: I may have confused it. I thought the member was asking a question about whether we were prepared to move a good many of the unclassified employees to classified. That is what I was answering "yes" to. There are people out there, as the member knows and I know. Members will bring it to my attention. There are a few in my own riding who have been on that for in excess of 10 years; even 15 years in one case as an unclassified employee in part. What I was referring to was the decision as to who would move from unclassified to classified service. I am sorry if I misled the member, but I was not talking about fringe benefits for the unclassified. Maybe that clears it up.

5:10 p.m.

Mr. Cassidy: In that case, perhaps I could ask the minister to talk about fringe benefits for these unclassified workers, since there are large numbers of them who are either employed full-time for part of the year by the government on a recurring basis, or else are employed part-time by the government on a permanent basis.

My question to the minister is with respect to these workers, 17,000 right now. To what extent is the government prepared to give fringe benefits to these unclassified workers comparable to those it now gives to full-time workers, in the same way as you have sought to give them wage rates comparable to those of the classified workers?

Hon. Mr. McCague: I am not sure that I got

the last part of the member's question. As far as fringe benefits for the unclassified workers are concerned, the union and we agree that they are negotiable. We were getting mixed up a bit in the movement of unclassified to classified.

Mr. Cassidy: Agreement is hardly what it is all about. In fact, the ministry fought tooth and nail to prevent that matter being bargained and tried to determine it was not bargainable. What were you about then, Minister? The matter has gone to arbitration now. What assurance can we have that the government will do what it can to expedite that arbitration, which has now been delayed for a period of 12 months or more?

Hon. Mr. McCague: I think it was other aspects of the benefits package or the working conditions that were the subject of disagreement, not necessarily the fringe benefits.

Mr. Cassidy: To be specific: When someone comes to work for the government on a new contract, he or she does not get any payments for the Ontario health insurance plan for three months because of a technicality, despite the fact that person may be coming to work regularly every year for the government at that particular time. Are you now prepared to pay employees pro rata for what they are having to put out in OHIP premiums over that initial period of three months in a temporary contract?

Hon. Mr. McCague: While the member and I might make great progress arbitrating bargaining rights here, I am not prepared to presuppose what the board will say in those matters.

Mr. Cassidy: The minister mentioned pensions earlier on. Is the government prepared to give access to the superannuation plan so that part-time or unclassified employees can contribute to and store up credits in the superannuation fund of the province?

Hon. Mr. McCague: I pointed out to the member earlier on that the matter of pensions is included in our consideration of the policy matters regarding the report of the royal commission.

Mr. Cassidy: I shall not pursue this, Mr. Chairman. Perhaps, with your agreement, I could go back to some of the questions I asked before, which probably need to be reiterated.

Does the minister agree that the Premier and the government broke their promise when the Premier said last January that he was categorically ruling out any policy of wage control that would single out public employees, since the government subsequently brought in Bill 179?

Hon. Mr. McCague: No.

Mr. Cassidy: Then, would he explain when is a promise not a promise? Did the Premier make a promise to the public servants in January?

Hon Mr. McCague: I am not aware that he did.

Mr. Cassidy: With respect, is the minister not aware of the quotes that appeared in the press at that time? "Davis rules out wage controls for public sector employees." Is the minister saying that the Globe and Mail misquoted the Premier at that time?

Hon. Mr. McCague: I have no further comment on that.

Mr. Cassidy: The minister says he has no further comment. I would say that "keeping the promise" means keeping the promise. It is not saying one thing out of one side of your mouth one day when you think it is politically desirable, and then, when the folk are well out of reach, turning around and doing something else.

My second question—

Mr. Chairman: Just before the member's second question, the member for Erie (Mr. Haggerty) has some questions on the same line.

Mr. Cassidy: On the same line? I am sorry, Mr. Chairman.

Mr. Haggerty: We are dealing with part-time help. I want to raise a question to the minister on something I am concerned about, under vote 405—I guess we are jumping about all over the place—the cost of French-language services.

In a period of about two years this has had almost a 100 per cent turnaround. In the Ministry of Government Services, and we are talking about government management of public funds, there is an expenditure for the translation bureau of almost $722,000.

I would ask the minister, is there not, perhaps, another way of hiring part-time help? Perhaps there could be an improvement in the legislative library services to provide quicker access for translation than there is at present. I have used it on one or two occasions, and I thought the cost was pretty exorbitant for an interpretation of a document with essentially 50 words in it. Is it not time that the government, through the Management Board, looked at alternatives to reduce the cost and to provide members, and other government agencies that require them, with better services? The increase in both those services has almost doubled within a period of about two years.

Hon. Mr. McCague: Mr. Chairman, it is an area Management Board could look at. As the member mentioned, it is under the Ministry of Government Services. While it looks like a costly item, there is more use of the translation services. It is a chargeback to each ministry or agency that uses it. We can look at it. As I recall, the last time we looked at it, the rates were slightly lower than the rates in the open market, if that is what you are advocating.

Mr. Haggerty: If I interpreted correctly what the Minister of Government Services (Mr. Wiseman) said, they hire outside professional people to do this service for the government agencies. I do not know what permanent staff you have available under Management Board control. If there is permanent staff there, perhaps you should broaden it out a little bit without going outside and looking for other agencies to provide the services at a much greater cost.

Hon. Mr. McCague: Could you tell me what section you are referring to?

Mr. Haggerty: It is Management Board, vote 405, under the French-language services. I imagine these are services providing interpretation or sending out information relating to government to people who want the service in French. I am looking at the area in Government Services that provides a similar translation service at a cost of $722,000. I thought perhaps there was an overlap of the different ministries and that there could be a cost saving to the government and to the taxpayers of the province. Maybe it could be done through improved library services here. Perhaps all members would have more direct access to inquiries through the library services, and that would be much better than two or three government agencies.

Hon. Mr. McCague: I thought I heard you mention translation services before. I am sorry, the French-language services section is not involved, as I understand it, in translation services. I presume you are talking about French-language services?

Mr. Haggerty: Under your vote 405. That is correct.

Hon. Mr. McCague: These are courses offered by the Civil Service Commission to civil servants. The cost is a chargeback to each individual ministry, as I understand it. The consolidated revenue fund gets the money back.

These services also co-ordinate the Quebec/Ontario summer student program and the Ontario/Quebec civil servant exchange program. There is an element of training for the federal government in there also for which they pay us. This is a direct expense to us, all of which comes back into the consolidated revenue fund.

It has nothing to do with translators. It is strictly French-language training.

5:20 p.m.

Mr. Haggerty: How many public employees are receiving the benefit under this program? Apparently, it is at the expense of the government of Ontario that you are improving the quality of personnel for the government. Is there any pass-through for those who actually receive the benefit? If one looks under the federal government's program where persons take a second language, additional remuneration is given to the person who broadens his viewpoint through learning a different language. Do we also give additional remuneration to persons who obtain a second language?

Hon. Mr. McCague: The answer to the last part of the question is "no." In the first part of his question the member asked about the number of employees in various locations such as Cochrane, Cornwall, Goderich, North Bay, Ottawa, Sault Ste. Marie, Sudbury, Thunder Bay, Timmins and Windsor. The total for 1981-82 was 304 and the enrolment for 1982-83 is 450.

Mr. Chairman: I am having some difficulty. You are going into vote 405. I suppose one might say it comes under "personnel"; one more question.

Mr. Haggerty: It does perhaps seem to be an exorbitant cost to provide this French-language service for 400 people. Just look at the cost. I think the Minister of Education (Miss Stephenson) sitting next to the minister would agree that the same second-language services can be provided in a night school course in my area at a very low cost to the recipient, compared to the cost involved for these 400 persons. Are they full-time students?

Hon. Mr. McCague: No, they are not full-time students.

Mr. Cassidy: I want to continue with some of the things I was discussing with the minister. If an employer who has signed a contract with his employees for a wage increase subsequently decides to pay only half of what he has contracted for, would that be a breach of contract? Would that be something the employees could take before the Ontario Labour Relations Board for review?

Hon. Mr. McCague: I am sure the member is

going to pursue those kinds of questions throughout this estimates debate. As I said to him earlier, we have a problem with the economy of the province at the present time. The government has decided to indicate its policy through legislation and is having a thorough debate. Unfortunately, two categories are going to have to be rolled back to put all our OPSEU employees on the same footing.

Mr. Cassidy: If it would be breach of contract in the private sector, would the minister not say it was also breach of contract for those 70,000 employees in the public sector?

Hon. Mr. McCague: The member knows the government can, if it pleases, introduce legislation which takes precedence over what has gone on in a past. The legislation is for one year. Unfortunately, there are a couple of categories that are going to have to be rolled back. That does not say that issue of equity cannot be addressed when we bargain in 1984-85 for the 55,000 members of OPSEU.

Mr. Cassidy: I hear the minister saying, "Yes, it is breach of contract but the government is acting by law." I accept that the government is acting by law but it is also breach of contract.

My next question is, could the minister say what he feels about the government's treatment of the X-ray technicians who were flown to Toronto the day of the International Monetary Fund reception which was held here, with all the tents and with the liquor and wine flowing freely for the bankers from around the world, to be told that their jobs were terminated? Does he think that action reflected the kind of harmonious relations and good faith that he indicated were the policy of the government?

Hon. Mr. McCague: I am not sure of the gist of the question. Was it flying them to Toronto? Was the member's question about fair treatment? I guess that is what the member said. How would he suggest the matter be communicated to them?

Mr. Cassidy: Apart from the bizarre coincidence that they would be told that the government was firing them in order to save money on a day when it was spending something like $80,000 or $100,000 to entertain the bankers, is there not any kind of policy in the ministry that says there should be advance notice and, subsequent to advance notice, an effort made with the communities and workers affected to find ways to prevent this abrupt sort of termination at a time of dreadful economic difficulties?

What does the minister think those X-ray technicians are going to do? Has his ministry, which does all kinds of cost-benefit analyses, looked at what the costs are now going to be when radiologists under the Ontario health insurance plan, who are paid six or seven times as much per annum as the X-ray technicians, take over responsibility for doing X-rays formerly done by these technicians?

Hon. Mr. McCague: These people were not given termination notices for the purpose of saving money. It was because the Ministry of Health made the decision that the chest diseases service was no longer needed.

We have assured the employees that we will do all we can to accommodate them in some other area of the government service. I realize it is going to be difficult for the people the member has mentioned, but we are making every effort to assist them to locate jobs both in government and elsewhere. If Health makes the decision that that program is no longer necessary, we cannot necessarily keep the employees on indefinitely while trying to find them other employment.

Mr. Cassidy: Because of what appears to be crisis management in the government, the Ministry of Health decided suddenly to cancel the chest examination service. As a consequence, these workers are told, in Toronto, that they are out of a job. They suffer a triple and even quadruple handicap when it comes to getting a new job compared to someone who has been doing administrative work in OHIP. In the first place, they have a very specialized skill and one that does not easily transfer into other areas.

In the second place, they live in many parts of the province. When your family is located in Thunder Bay or in eastern Ontario, it is pretty hard to suddenly pull up stakes in order to take a job at the other end of the province.

Third, the times are very tough. The minister said earlier during this discussion that he felt the government was keeping faith with the public service because public service jobs were more secure. It is pretty hard to say that to the X-ray technicians because they now know that is not the case.

Fourth, had the decision been made and communicated a year in advance, it might have been possible to have training courses arranged in order that those technicians could have decided which area they wished to train for and then taken time, over the course of a year, to train and look for other jobs in areas in which they were qualified. But the notice and the sudden timing of the decision, the fact that it

was made just after the beginning of the school year so people could not move if new jobs were available over the course of the summer, indicates that none of those considerations were in the minds of the people at the Ministry of Health.

My question is that if Management Board and the Civil Service Commission are responsible for the overall state of the civil service, why are you not laying down policies so that those questions are considered, rather than leaving 60,000 or 70,000 civil servants feeling it may happen to them, because the security civil servants have traditionally enjoyed is now breached?

5:30 p.m.

Hon. Mr. McCague: I am sure there are not 60,000 or 70,000 who feel they may lose their jobs. These people have known for some time that this program might be discontinued. All I can say to the member is that we will do our best to accommodate them in some other area. I know it is difficult for those he mentioned, but we have a good record in government and we hope to continue with that.

Mr. Cassidy: Again, this is an area where it seems to me the government needs to act as a model for the private sector, first of all to ensure those workers get severance pay at least equivalent to what they would get under the severance pay legislation in Ontario, on top of the notice they have been given. Second, will the government ensure that those technicians also are given the time necessary for retraining, let us say up to a maximum period of a year or a year and a half, and the support necessary, if appropriate retraining is available and seems advisable in each individual case? Can you at least assure us that will be the policy rather than just leaving these workers out in the cold?

Hon. Mr. McCague: A joint government-union committee has been established to see what we can do about this. Are you asking about the severance pay as it relates to our normal program?

Mr. Cassidy: As it relates to these particular workers who were fired.

Hon. Mr. McCague: I think the answer to that is "yes".

I am not sure what you are saying in the second part of your question on the education side. Are you asking if we will allow them to apply for an opening within the government within the year? We have a moratorium on hiring right now. Are you saying if they leave for a year's education, will we consider them when they come back?

Mr. Cassidy: That would be a very positive thing. I suggest it should be for a period of two or three years, not just one year. In other words, they should be able to bid on and have priority for jobs within the government, not necessarily only for a period of a year, because it may take them a bit longer to get the necessary training.

I am also suggesting two things: First, that those workers should be getting support through the public service in order to carry out retraining. In normal circumstances, if you were planning ahead, you would ensure that training was taking place as part of the phase-out, if in the end the decision was to eliminate the chest protection service. Since you have failed to do that, I am suggesting you owe a special duty to these workers. Now you have begun to fire civil servants, have you begun to develop a policy in terms of layoffs rather than doing what you did with these X-ray technicians?

Hon. Mr. McCague: There have not been very many layoffs. I hope the member is not using the words "firing" and "layoff" to mean the same thing.

However, as I have said, with the Ontario health insurance plan move, the Revenue move and now the chest clinic move, there is going to be some considerable difficulty placing all these people. We are doing the best we can. As the honourable member knows, there is a moratorium, and within each ministry these employees have bumping rights if they have seniority. We have also said, just in the last few weeks, that any of those who are laid off will be allowed to apply for restricted competitions for the next year.

We can take a look at the member's suggestion as something that might apply, especially where there is no doubt that retraining is necessary. There are various aspects to what he is saying. We could look at that, and no doubt the joint committee will consider that as part of their agenda.

Mr. Cassidy: Mr. Chairman, I would like to thank the minister. I would point out that in the case of the Revenue and OHIP transfers to Oshawa and to eastern Ontario, not only were these anticipated a long time ahead but a real effort was made well in advance, I believe in conjunction with the union, to work out means by which those employees who did not want to move could be worked into other government jobs. In other words, in those instances the

government was anticipating. I am suggesting that this should apply at all times, but clearly it did not apply in the case of the X-ray technicians.

What consultation was there with the public service unions over the plans for public sector wage restraint between the end of June and late September 1982?

Hon. Mr. McCague: Mr. Chairman, the only consultation that I recall was when the Premier and some of his colleagues met with the union leaders in Ontario.

Mr. Cassidy: Mr. Chairman, is the minister committed to any kind of continuing dialogue on important issues with the representatives of the public sector workers? If so, why was there no consultation at all on this issue apart from the meeting that was held in June? Why was there no subsequent consultation of any kind if the government really meant to keep faith with the public sector workers?

Hon. Mr. McCague: Mr. Chairman, my consultation, as the honourable member probably knows, was with Mr. O'Flynn. He was aware of what the government's policy was going to be, albeit not a great deal of time before the legislation was introduced.

Mr. Cassidy: In other words, Mr. Chairman, the legislation had effectively been drafted and decided, the decisions had been taken and the matter was just about to go to the Conservative caucus before the public sector workers were involved. Does the minister really believe that this is consultation, or would it not be better categorized simply as total nonconsultation in presenting the unions with a fait accompli?

Hon. Mr. McCague: Mr. Chairman, I think I have outlined that the Premier did meet with the union leaders, and Mr. O'Flynn was aware of the government's intention. I understand he would not be in favour of this legislation; he has made that known. That is not an unusual position for him to take any more than the position the government has taken is unusual.

Mr. Cassidy: Mr. Chairman, I simply point out that at no time does it appear the government sought to bring the representatives of workers into its confidence or to see whether creative and positive solutions might be found rather than what has been done here.

If we look at the situation in British Columbia, for God's sake, where the ultimate upshot of the bargaining that was taking place between the public service union in British Columbia and the government was a great deal more creative and where a large number of very creative solutions were put forward by the union, despite a charged atmosphere and despite the fact that there were some public service strikes, I believe the result that came out there is a heck of a lot more equitable, creative and capable of maintaining the support of the public service than exists here.

I would like to ask the minister next, specifically how were those 17,000 workers making an average of $16,000 a year in the office and clerical areas contributing to inflation?

5:40 p.m.

Hon. Mr. McCague: I do not think the question is really relevant. It has been acknowledged that the five per cent will not by itself wrestle inflation to the ground, but it is a contributing factor. There are both inflation and the economy to be considered. It was not necessarily all on the one hand or the other.

Mr. Cassidy: Specifically, as to those women earning $15,000 or $16,000 a year, and it was overwhelmingly women in that category, how were they contributing to inflation? Were they spending too much and pushing up demand until there was a dizzy spiral of prices? Was this what their sins were that they are being punished for? Were they being greedy simply to want a few hundred extra dollars so they could help to look after their own needs and those of their families? Perhaps the minister could be more explicit.

Hon. Mr. McCague: The member knows well that question is rather nonsense.

Mr. Cassidy: With respect, it is not nonsense. There are real people out there on a budget who are struggling to make ends meet. The minister knows perfectly well, at least I hope he knows, what it costs in rent in Toronto and other major cities and what it costs to feed a family. How were those women contributing to inflation? If they were not contributing to inflation, why should they be singled out and punished?

Hon. Mr McCague: I understand what the member is trying to do. He is a good debater. He has been in this House for many years.

Women were not, as he likes to say, singled out at all. There are a good number of men in that category, as we have said. For instance, the settlement they got in 1981-82 and 1982-83 reflects that the government has some consideration for those at the lower end of the scale. The $750 to $1,000 limit again indicates the government's concern for those at the bottom of the scale, whether they be men or women.

I am not going to single out a person making

$16,000 and say he or she is contributing to inflation any more than anybody else. The member knows how our scales work; they usually work on percentages, and at the higher levels we have women awarded the same percentage we have at the lower levels over a period of years.

Mr. Cassidy: For the minister's information, in 1981 in the clerical services module there were 2,100 men and 8,000 women, and in the office services area there were 313 men and 6,818 women. That makes a total of about 15,000 women and 2,000 men. That is why I said women were singled out to be punished because of some sins they seem to have incurred with respect to inflation.

I want to ask the minister about political rights. Can he explain how a public servant can talk about anything to do with almost any issue in the province without contravening the section of the Public Service Act that makes it an offence to speak publicly on a matter that forms part of a platform of a political party in Ontario?

Hon. Mr. McCague: As the member knows, we have on occasion received a report from the Attorney General on political activity. It is thought that when one signs one's oath of office one is indicating one's allegiance to one's employer and we do not believe, as he does, that promoting political activity within the service is in the best interest of everyone.

Mr. Chairman: Order, please. The member for Niagara Falls (Mr. Kerrio) has pointed out that he has some questions on personnel. It is only fair that we allow him some time.

Mr. Kerrio: Mr. Chairman, in looking at these votes, as they relate to the numbers, I would like to raise the question of whether the Chairman of Management Board had anticipated any kind of restraint program and put that to meaningful use in his ministry. He does not seem to have indicated anywhere along here that he is going to address himself to the very serious times we are in, and the numbers reflect that kind of spending. Does he propose to fit into the scheme of things now?

When we talk about Management Board, there is an added responsibility on the minister's part to do something meaningful in the restraint program. In looking at the figures here, I wonder about the future and whether the minister is going to set some kind of restraint determination in his ministry. How can he justify the kind of expenditures in his ministry when we are asking people in the public sector to take something up to five per cent?

I wonder whether the minister is going to address himself to this most serious problem of restraint; if so, will he tell us how he is going to do it?

Hon. Mr. McCague: Mr. Chairman, I am sorry, but I am going to have to have the member to explain what he is talking about.

Mr. Kerrio: I am talking about five per cent.

Hon. Mr. McCague: Can the member be more specific? What is he looking at when he asks the question?

Mr. Kerrio: I am looking right here at the votes going through.

Hon. Mr. McCague: Where is he looking?

Mr. Kerrio: At the current fiscal year.

Hon. Mr. McCague: What the member is looking at is a vote of around $280 million. Am I correct? Is that what he is looking at?

Mr. Kerrio: Which number is the minister on?

Hon. Mr. McCague: I am not on any number, because there are a lot of numbers and the members opposite are wandering all over the place.

The Acting Chairman (Mr. Barlow): We are trying to work around vote 401.

Mr. Kerrio: Yes, that is what I am talking about, vote 401.

Hon. Mr. McCague: So the member is looking at $250 million.

Mr. Kerrio: That is right.

Hon. Mr. McCague: When the estimates of the other ministries are printed, there is no amount included in their salaries and wages account for whatever increase may be allowed in 1982-83. That is all put in the Management Board's contingency fund. Then that is disbursed to the ministries as the wage settlements are known and the number of employees is known. Of that $250 million, approximately $245 million is for wage settlements in the year 1982-83.

Mr. Kerrio: That is the very question I am asking. How can we continue to go along with such huge contingencies? Contingencies usually are supposed to be things that are not anticipated, in some of the contracts I have been involved with. What I am saying is, is good management going to allow such huge contingency funds? Are we not going to be able to manage to a degree where we do not have contingencies? They only happen in the event

you cannot plan them. That is what contingency is supposed to mean, as far as I am concerned.

Hon. Mr. McCague: The member obviously did not listen to my first answer. At the beginning of the year, when this is printed, we do not know what the wage settlements are going to be for 1982-83. So the funds that we guess might be necessary for wage settlements are put in a contingency account as shown here. Then, as the wage settlements are known, those funds are transferred to each ministry, depending on the number of employees. They actually have to claim what it is they need to meet their salary requirement. As I said, about $245 million of that is for wage settlements.

If the member is coming back to ask me how we can afford to keep doing that, for 1983-84 the answer is Bill 179.

5:50 p.m.

Mr. Kerrio: The minister still has not answered my question. The fact is that the contingency has gone from $184,865,000 in 1981-82 to $245,678,600 in 1982-83. All I could understand about a contingency would be the unknown factor, the rate over something that cannot be projected. But that seems to be a substantial amount for a contingency figure. This is what I cannot understand. As I said, a contingency is supposed to be something you cannot plan on. I just cannot see it increasing to the degree it has in this estimate. It is substantially higher than the last one.

Hon. Mr. McCague: I can get the figures for the member if he wants them; there will be a lot of them. One of the problems is that the 1981-82 estimated figure was not enough, for one thing. I do not have the actual figure right here with me, but I can get it for him.

Mr. Kerrio: The minister is supposed to have all that with him. That is good management.

Hon. Mr. McCague: Do not get hung up on the word "contingency." If the member wants us to call it the salary award fund or something like that, we can do that if it will help him. It is not a contingency fund which we decide how we are going to spend; it is a fund for salary settlements.

Mr. Kerrio: How does the minister account for the big difference between last year's and the one for 1983?

Hon. Mr. McCague: As I told the member, when one is estimating one never knows what the final settlement will be. Some are by negotiation, some are by mediation and some are by arbitration; so one never knows, when these are printed, what the actual settlements are going to be for the year. We can be high or low. My guess is that the 1981-82 figure was low. If I get the actual for the member, he will see the difference. But the settlements in 1982-83 over 1981-82 are going to be in the neighbourhood of 12 per cent.

Mr. Kerrio: That is the figure I was looking for.

Hon. Mr. McCague: The member went a long way around to get it. He never asked me the direct question.

Mr. Kerrio: It took me that long to pry it out of the minister.

Mr. Cassidy: Mr. Chairman, I understood the minister to say that he wanted to come back on Friday with answers to the questions on the superannuation fund as well as on the more specific questions surrounding the Crown Employees Collective Bargaining Act and Bill 179. Taking that as an assumption, I want to deal with a couple of other points I raised with him today.

The first matter is the whole question of the office automation projects. I have not had the chance so far, but I intend to have the chance, of being briefed by the ministry about this new technology fund and about the office automation projects that are under way. I have seen some of the experiments that have been shown at management seminars of the ministry. With the spending the ministry has talked about, clearly there is tremendous proliferation of automation and computerization taking place right now.

My specific question is, why have the representatives of the workers not yet been involved in these automation projects? Will the minister undertake that in future the workers, through their union, can be not just consulted but also participants in the process of developing new work techniques and new work technology?

Hon. Mr. McCague: Mr. Chairman, I think the member raises an interesting point. I will take that under advisement. It is my understanding that in the odd case there has been a small committee, but that may not be exactly what the member is looking for.

Mr. Cassidy: I might point out that in my discussions with the union, which have gone on over a number of months, I asked, "Is there anybody on your side who is really involved with what the government is doing?" The answer has consistently been "no." There has been some bargaining around video display terminals; that

eventually was settled by arbitration rather than by the process of bargaining.

It seems to me it is not good enough just to leave it at the departmental level; there have to be contacts at every level, if there is any dialogue taking place after Bill 179, between the union and the government of Ontario.

I want to read from an article in Topical, which quotes Ben Cook, the then director of the management technology branch, management policy division, Management Board of Cabinet.

" 'The threat to morale depends upon how new technology is brought in and managed,' according to Cook. 'If on Monday morning you surprise the staff, unveil a machine and say, "Take it or leave it," it just won't work,' Cook says. He adds, 'Support staff have to be involved in the process of implementing new technology. Employees should know what it means to the organization and why.' "

Then it says, "All three managers"—a couple of others were quoted as well—"stress the importance of teamwork." Then it quotes Henry Ozolins as saying, "The secret of success is to involve people at the grass-roots level, seeking staff input and communications."

This is pretty clear and explicit. It comes from the series Managing in the 1980s, which I believe appeared in Topical last year.

Will the minister look into this? Will he specifically come up with proposals? Also, will he undertake to involve the union in this office automation rather than make it a management affair in which the unions and the workers have no business?

Hon. Mr. McCague: As Mr. Cook has said in that article and as managers have done, there has been a lot of training as between the manager and the persons operating the various machines.

I think what the member is coming at is probably the wider issue of safety. All kinds of people are running around offering opinions on that aspect of it, and I am sure it is something we should look at.

I was of the opinion that we were about to have a committee look at some of these aspects, but I will check on that. There are quite a few things on which the union and government work together, but I am not just sure of all those at the moment. I will try to answer the member's question on Friday as to what we will propose.

Mr. Cassidy: I thank the minister very much, Mr. Chairman. My final point is this—

The Acting Chairman: It is close to six of the clock. I wonder whether you would like to hold your questions until the next session.

Mr. Cassidy: Mr. Chairman, I wanted to close off matters concerning employee relations on the main vote today and then go on to other subjects when we next come up. If you are agreeable, I have just one final question that I will put to the minister, and then I believe we can close this off, apart from certain things that were left over.

The Acting Chairman: All right; if it can be brief, because we have only about two minutes.

Mr. Cassidy: The minister does not appear to be aware of the anomalies in the law with respect to political rights, among them the fact that section 14 of the Public Service Act says: "Except during a leave of absence . . . a civil servant shall not at any time speak in public or express views in writing for distribution to the public on any matter that forms part of the platform of a provincial or federal political party."

If this matter were not serious, it would be ludicrous. I phoned the minister's party, the Progressive Conservative Party of Ontario, some months ago and asked, "What was your platform in the 1981 campaign?" They said, "We don't know; we didn't publish one." The Liberal Party was not much different. The New Democratic Party, by contrast, has got a platform on almost everything under the sun.

This clause means that a parent of a retarded child, a parent who happened to work for the Ontario government, could not become active within the Ontario Association for the Mentally Retarded even if it had nothing at all to do with his job in the provincial government.

It means that someone affected by urea formaldehyde foam insulation could not speak out on that issue regardless of whether or not it had anything to do with his job in the government of Ontario.

It means, technically, that any civil servant who wishes to run for a school board in his community cannot do so, because he cannot help but run up against party policies on all kinds of things in the areas of education or local government.

Since time is short, and since I talked to the minister last year about what we believe ought to be done with respect to political rights, I would like to ask this question.

The Progressive Conservative Party is on record at the federal level as favouring the reference of the matter of political rights for

public servants to a parliamentary committee. Will the minister agree to refer this matter to a committee of the Legislature here in Ontario, being consistent in that way with the position taken by his federal party since the Neil Fraser case?

Hon. Mr. McCague: The member knows full well I do not have any right to refer any matter to a committee, but I will consider all the points he has made in his dissertation and say a word or two about it on Friday.

On motion by Hon. Mr. McCague, the committee of supply reported progress.

The House adjourned at 6:01 p.m.

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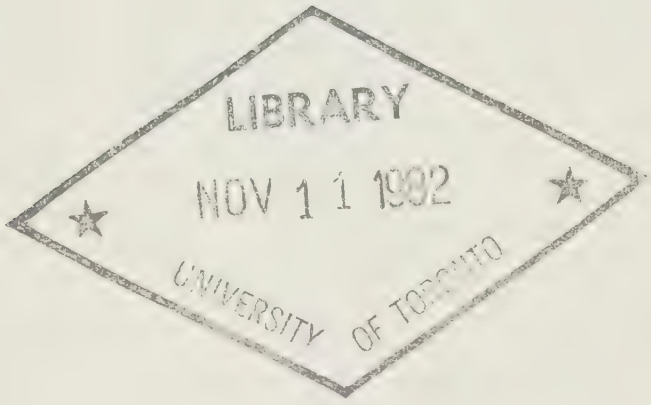
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Second Session, Thirty-Second Parliament
Tuesday, November 2, 1982
Afternoon Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Tuesday, November 2, 1982

The House met at 2 p.m.

Prayers.

DR. ERIC ARTHUR

Mrs. Scrivener: On a point of order, Mr. Speaker: I rise to pay tribute to Professor Eric Arthur, who died yesterday and who is being laid to rest this afternoon.

He was a famous architect, historian, conservationist and writer and was world renowned for his professionalism and excellence in his chosen field. His opinion was highly respected, and he was much sought after for his views on a great range of architectural and urban design matters. For instance, he was consultant to many governments both in Canada and abroad. He was one of the founders of the Architectural Conservancy of Ontario; he was appointed University College architect in 1964 and was chairman of the jury of the international competition for Toronto's city hall and square.

As professor emeritus of the school of architecture, University of Toronto, and through his writings, teachings and personal influence, Professor Arthur did much to raise the level of public consciousness of the importance of our historic buildings and landmarks as part of our national heritage. For a time he served the Speaker of this Legislature and the government of Ontario as architectural consultant on the special requirements of this great parliament building in which we convene today.

Born and educated in New Zealand, he served as a youth in the First World War as a rifleman with the New Zealand Rifle Brigade. He also saw active service in the Second World War. After the First World War he was honoured to be chosen the Lord Kitchener National Memorial Scholar in architecture, attending the University of Liverpool under the tutelage of Sir Edmund Riley.

The breadth of his professional involvement is reflected in the honours bestowed upon him. He was a Companion of the Order of Canada; he received the Canada Council Medal for outstanding cultural achievement, the City of Toronto Award of Merit for distinguished public service, the American Association of State and Local History Award, the Centennial Medal, 1967, and the University of Alberta Gold Medal for distinguished service to arts and architecture in Canada.

He was the Lord Leverhulme Prizeman in civic design at the University of Liverpool. Earlier this year, at the age of 82 he received an honorary degree from the University of Guelph.

As well, Professor Arthur was a prolific writer and historian. His book, Toronto, No Mean City, published in 1964, has been widely circulated as have also his books, Old Buildings in Ontario, St. Andrew's Niagara-on-the-Lake, and 18th and 19th Century Buildings in Ontario.

Several years ago Professor Arthur astounded us all by having on the go three books at one time. All three were subsequently published in the same year. The first is entitled From Front Street to Queen's Park: the Story of Ontario's Parliament Buildings, which is familiar to most members of this Legislature. His work on The Barn, A Vanishing Landmark in North America, was also of great mertit.

Other works include Moose Factory, Old Forts in Upper Canada, Guide to Historic Buildings in Ontario, and Buildings by the Sea. He lived to see the production of his last book on iron.

This is but a brief resumé of the remarkable lifetime of Professor Eric Arthur, a lifetime which spans more than 80 years but into which has been crammed the energy, activity and productivity of a lifestyle which was never diminished by a lack of creative interest, and one which was always marked by the great contribution he made to his community.

On behalf of the members of this Legislature, I extend deepest sympathy to Eric Arthur's family, his wife Doris and his children Paul and Jean, and to his many friends. He will be sorely missed.

[Later]

Mr. Nixon: On a point of order, Mr. Speaker: It seems to me that, while a statement on the death of a very well known citizen of Ontario who served us so well is very much in order, is there not a procedure you might at some time recommend to all of us as members of the House other than doing it on a point of order, such as asking for unanimous consent?

The Deputy Speaker: We will follow up that suggestion. Thank you.

RESOURCE MANAGEMENT MEETINGS

Hon. Mr. Pope: Mr. Speaker, it is my pleasure today to bring the House up to date on the most comprehensive endeavour in public consultation in the history of my ministry.

Last summer I appealed to the people of Ontario for their ideas on how we can best manage our natural resources for the benefit of all citizens of the province. At a series of 130 open-house meetings across Ontario, more than 10,000 Ontarians came forth with their ideas and suggestions. It was an unprecedented response and one of the most extensive public consultation programs anywhere.

Today, I am pleased to announce that almost all of the public comment from those open-house meetings is now available to the public. It can be viewed at the office of the Clerk of the Legislature or at the reading room of the Natural Resources' library on the fourth floor of the Whitney Block. The rest of the information will be provided within a week.

Because the resource management decisions we are about to make will have far-reaching effects, I am going to hold a further round of regional forums so that Ontarians can present their ideas to me directly. These open public forums will be held over the next few weeks in Timmins, London, Ottawa, Thunder Bay, Toronto, Sault Ste. Marie and Kingston.

Individual copies of each of the public responses will be mailed to the critiics' homes.

VISITORS

The Deputy Speaker: In the Speaker's gallery today is a a parliamentary delegation composed of members of the Commission for Public Works of the Italian Chamber of Deputies.

The members of the delegation have been meeting with Ministry of the Environment officials here in Ontario. The president of the commission is the Honorable Giuseppe Botta and the vice-president is the Honorable Domenico Susi. The president of the environmental committee of the commission is the Honorable Guiseppe Castoldi.

Would members of the assembly please welcome the Italian delegation?

2:10 p.m.

ORAL QUESTIONS

PHYSICIANS' FEES

Mr. Peterson: Mr. Speaker, I have a question for the Premier. Will the Premier bring this House up to date on his discussions with the Ontario Medical Association? Will he tell us whether he has had any recent talks about their contributing to the restraint program or renegotiating the Ontario health insurance plan fees in any way in order to voluntarily give back something to the restraint program? What has he asked them? What is the current status of those negotiations? When did he last meet with them and when do they plan to meet again?

Hon. Mr. Davis: Mr. Speaker, when I have something of some substance to convey to the members of the House, I will seize the earliest opportunity to do so. I have nothing to add at this moment to what I have already said.

Mr. Peterson: If that was the general rule, he would never speak in this House, Mr. Speaker. But let me continue on to ask the Premier—

Mr. Bradley: Bette agrees. She is nodding.

Mr. Peterson: The minister agrees.

Let me ask the Premier about the comments of Dr. Murray McAdam, the head of the Ontario Medical Association, who said a few nights ago, "A small percentage of doctors told me they would go along with the restraint program." I want to ask the Premier what he will do if they say no?

Would it not have been more intelligent to have included the doctors in the restraint program from the beginning? Now it appears that we are headed for a confrontation whether the Premier likes it or not. Is he just going to back off from the whole question?

Hon. Mr. Davis: It is quite obvious that the Leader of the Opposition would have entered into a confrontation at the outset. That is not the way of this government.

Mr. Peterson: But it is obvious that we would have included them in the program. There is no doubt about that.

The Deputy Speaker: Order.

Mr. McClellan: Mr. Speaker, I remain curious. The Premier is prepared to rip up the contracts of the Ontario Public Service Employees Union clerical workers and the contracts of the OPSEU service workers, and he is prepared to rip up approximately 100 contracts with members of the Canadian Union of Public Employees. What is it, therefore, that holds him back from ripping up the contract with the doctors? It obviously is not considerations of

legal nicety or morality that inhibit him. What is it that inhibits him?

Hon. Mr. Davis: Mr. Speaker, I think I answered that question for one of the member's colleagues a few days ago. If memory serves me correctly, I endeavoured to explain the difference in terms of the medical profession. I guess the members of the New Democratic Party consider them "civil servants" or municipal servants or employees of the municipalities which the legislation covers. On this side of the House we have defined the members of the medical profession as self-employed professionals.

Mr. Cooke: It is called a Tory double standard. That's exactly what it is called.

Hon. Mr. Davis: Before the member gets so smart he might just look at what the candidate in York South representing his party is saying when he says he would leave the contract totally alone. What is more ludicrous than having the member ask that sort of question?

Mr. Cooke: There is no double standard here at all. It is you.

Hon. Mr. Davis: Oh, come on.

Mr. Martel: Don't play niceties.

The Deputy Speaker: Order.

Mr. Peterson: My supplementary to the Premier is this: The Premier is no doubt aware that some 4,000 doctors in British Columbia agreed to return some $30 million to the government of British Columbia as their contribution to the restraint program; roughly, as I understand it, some $8,000 apiece. He is aware, of course, that if a comparable program could be agreed in Ontario, we could liberate something like $80 million or $100 million that could be saved, kept in the public treasury and spent on jobs in the province.

Would the Premier not agree with me that given the severity of the economic problems we have in the province at this time, the deperate need for jobs and the shortage of money to create those jobs, that $80 million to $100 million could be far better spent here in Ontario creating jobs? Will he allow his back-bench members of the committee to support an amendment we will put in committee this afternoon to include the doctors' fees in the restraint program?

Hon. Mr. Davis: Mr. Speaker, I am encouraged to hear the committee is reaching the stage of consideration of the actual wording of the bill itself.

I think there were several questions implicit in what the leader of the community party was suggesting. First, am I aware of what happened in British Columbia? The answer to that is yes.

Mr. Roy: What a pussycat he is, afraid to deal with the doctors.

Mr. Peterson: I am glad the Premier is at least aware of something, Mr. Speaker.

Hon. Mr. Davis: Better than being aware of nothing.

NATIVE RIGHTS

Mr. Peterson: I have another question of the Premier, Mr. Speaker. I want to ask him about the mediation process between the government and the Whitedog Indian Band regarding the mercury pollution in the English-Wabigoon River system.

I am sure he is aware that, at the Premiers' conference this summer, in discussing the Constitution and native rights, he said, "Ontario is devoted to finding real and lasting solutions to the problems of the native people." He will recall, also, that he accepted the recommendations of the Hartt Commission in May 1978 and the first priority was the establishment of a mediation process to address the plight of the Indian community. Indeed, as Mr. Justice Hartt said at that time, and this is particularly relevant, "What justification for immediate government action is required other than common decency and the restoration of human dignity?"

The Premier must also be aware that the mediation process terminated unsuccessfully in May 1981, and that not one major issue has been resolved between Ontario and the Indian band, even though the federal government has now resolved its issues with the band. From December 1981 to the present there have been only two meetings with the Whitedog band to deal with the unresolved issues, and the band has been told to communicate with the provincial negotiator who has yet to be appointed. When is the Premier going to use his good offices to make sure that there are real and lasting solutions to the problems of the native people in this province?

Hon. Mr. Davis: Mr. Speaker, I do not think the Leader of the Opposition is correct. Some issues have been resolved. There is no question there are still some outstanding issues that the government is very anxious to see resolved. We are in the process. I cannot put any time frame on it, but I will keep the House informed as we make progress. I say that in a very optimistic frame of mind.

Mr. Peterson: Does the Premier not feel some obligation at least to appoint a negotiator whom

everyone knows about? Why does he not instruct that negotiator to proceed with dispatch to resolve some of the outstanding issues? He, of course, is aware of a number of those outstanding issues.

I point out to him, for example, the issue of the children's group home. He knows that some 40 to 50 children from the Whitedog band are scattered throughout Ontario in foster homes. Is he aware that the band wants to bring those children back to the reserve to live there? They need a modest financial contribution from Ontario. But, as of now, the Premier has made no offer, there has been no meaningful discussion and the issue of the plight of those children goes on unsolved. Why would he not use his authority, as first minister of this province, to make sure his mediators move with great dispatch?

Hon. Mr. Davis: There is always a tendency—and I am not being critical—to oversimplify these issues. It would not be totally accurate to say no progress has been made. Or to say no effort has been, or is being made; that would not be accurate either.

Mr. Laughren: Mr. Speaker, my supplementary to the Premier has to do with the fact that the Provincial Secretary for Resources Development (Mr. Henderson) is the cabinet minister responsible for negotiations with our native peoples. Does the Premier feel it is appropriate for that minister to continue to fulfil that role, and to hold that position, in view of his comments at the resources development committee last Thursday evening? He referred to the native people as being children of the federal government and he questioned one of the native people as to his nationality.

2:20 p.m.

Does the Premier really believe that the Provincial Secretary for Resources Development is the appropriate cabinet minister to fulfil that very sensitive role?

Hon. Mr. Davis: Mr. Speaker, I think it is very proper to point out to the honourable member that the Provincial Secretary for Resources Development has demonstrated a sensitivity with respect to this and many other issues. I think if the member—

Interjections.

An hon member: Particularly tile drainage.

Hon. Mr. Davis: Well, I can only assume that the Liberal Party, or the community party of Ontario, is now opposed to tile drainage. Is that the essence of the member's important interjection? Is that really what the member is concerned about? I thought we were discussing the native people.

I was not present, and I am no one to say in what context the minister made those references. If he is saying that in many areas the jurisdiction is that of the government of Canada, he is technically quite correct.

Mr. Peterson: The Premier says that I oversimplify these matters, and he says, in fact, that a lot of progress has been made. Am I quoting him properly?

Hon. Mr. Davis: I said some.

Mr. Peterson: Some progress has been made. Perhaps the Premier would be good enough to share with the members of this House who the negotiator is, who the mediator is and how much progress has been made. How far along the road is the government to making a resolution of the wild rice question, or the land use question in the immediate vicinity of the reserve, or on the financial contributions that have been asked with respect to the Ontario Hydro settlement, or on the issue of the children's home on the reserve or the commercial fishing issue?

Perhaps he would be good enough to tell me how much progress has been made, and specifically what that progress is, on those issues.

Hon. Mr. Davis: I will give just one example. I think we are making progress on the wild rice. That is the one matter I have taken a particular interest in. Actually—and I am going totally by memory here—I had arranged to meet with Chief Kelly and others roughly two weeks ago, and because of a meeting, I believe, in Winnipeg—because that is where I talked to Chief Kelly on the phone: when he was in Winnipeg—they were unable to come in, because I think their meeting dealt with the Constitutional matter, etc. At that time we agreed that we would schedule another date to meet.

Once again I am optimistic that we can find a solution. If the Leader of the Opposition wants the particulars of when that meeting was to be with Chief Kelly, I can get them for him. If he were to call Chief Kelly, I think he would find that it was because of a conflict in dates and because of a very important meeting for them in Winnipeg—I think I am right in saying it was in Winnipeg—we have had to alter it.

TAX BURDEN

Mr. Foulds: Mr. Speaker, I have a question for the Treasurer (Mr. F. S. Miller). It is becoming increasingly clear that Mr. Lalonde's

budgetary statement is going to mean an increasing restriction on consumer spending, and the Treasurer will recall that in the opening remarks he made to Bill 179 he said, "The fact is, we are not going to get this economy moving until people take their money and start spending and investing it."

Can the Treasurer tell me specifically what steps he is going to take in the next two weeks in order to counter the restrictions in consumer spending that were imposed by Mr. Lalonde in his statement?

Hon. F. S. Miller: No, I cannot, Mr. Speaker.

Mr. Foulds: The obvious supplementary is: Why not? While the Treasurer is pondering that, he will recall that the impact of his spring budget was to take about $350 out of the average Ontario budget; that Mr. MacEachen's June budget, by limiting indexing, will cost the average family $40; that Mr. Lalonde's recent increase in unemployment insurance contributions will cost the average family $130, and that his own wage controls through Bill 179 will take about $1,000 from those families affected by that bill.

When is his government, along with the federal Liberal government going to stop taking money out of the pockets of Ontario families and when is this government going to start putting some back in?

Hon. F. S. Miller: The honourable member has displayed the inconsistency his party is famous for. On the one hand, the fact that I did not spend tax dollars in Ontario to increase the salaries of civil servants beyond five per cent is seen as taking money out of the pockets of Ontario citizens. On the other hand, Mr. MacEachen's and Mr. Lalonde's direct taxation moves are seen as taking money out of the pockets of Ontario citizens. They are entirely the opposite. The fact that we did not spend those moneys in salaries means I do not have to take money out of taxpayers' pockets.

Mr. T. P. Reid: Mr. Speaker, this morning the executive director of the Ontario Restaurant and Foodservices Association directly blamed the Treasurer's seven per cent sales tax on fast food products for bringing about a decrease in the amount spent in these establishments in Ontario, thus leading to layoffs in that industry.

Given the fact that consumer spending is lagging, is the Treasurer considering some selective cuts in certain areas of the seven per cent sales tax in Ontario?

Hon. F. S. Miller: No, Mr. Speaker. And, for the sake of the record, let me try to correct what appears to have been a mistake in the ORFA figures. I do not know how they got theirs, but the only thing we can see is that they have the inverse of the figures: instead of a minus, they should have a plus.

We use as our source of information the figures in Statistics Canada publication 63-011. The ORFA, allegedly using that source, said sales were down by six per cent in Ontario, while they were up by one per cent in the rest of Canada. The actual figures show that sales were up by 8.7 per cent in Ontario and by 3.8 per cent in the rest of Canada.

Mr. Cooke: Mr. Speaker, the Conference Board of Canada, in its second quarter report on business attitudes, asked corporate executives to choose those factors most affecting their production and investment plans; given the choice between labour disputes or labour costs and weak market demand, the overwhelming majority claimed that weak market demand affected their decisions most.

In view of those statistics and that fact, how can the Treasurer possibly promote the idea of wage controls in Ontario?

Hon. F. S. Miller: Mr. Speaker, again the honourable member is showing some degree of inconsistency. Of course weak market demand is the major problem; no matter what else, if one does not have business, all other problems pale into insignificance.

The fact remains that there is great inequitable distribution of people's incomes in this province. The member likes to recite the percentage growth of the private sector versus that of the public sector. What he forgets is that the people in the public sector get that percentage 52 weeks a year. Many of the people on the production lines of this province get an award for 36, 38 or 40 weeks a year; they would settle for a lot less for 52 weeks.

Mr. Foulds: Two injustices do not make it right.

BEVERAGE CONTAINERS

Mr. Foulds: Mr. Speaker, I have a question for the Minister of the Environment. Can he confirm the existence of an interministerial committee that is reviewing the regulations on refillable bottles and bottle recycling? Can the minister indicate why this interministerial committee has been formed, who is on it and what ministries are involved? Is it looking at the

possibility of allowing more nonrefillable bottles into the stores? Can the minister confirm that the committee has accepted about 12 to 15 briefs from industrial groups so far?

Hon. Mr. Norton: Mr. Speaker, I presume the honourable member is referring to beverage containers. If that is the case, yes, there is an interministerial group that was established by me some months ago to review a number of submissions that had been received by the ministry.

This was done on my initiative, flowing out of my concern, starting just prior to last Christmas, about the particular direction that advertising of beverage cans was taking in this province and my conviction that this was not in keeping with the understanding that had been arrived at with the industry and with my predecessor in this ministry some years ago.

2:30 p.m.

Initially I corresponded with various manufacturers, expressing my concern and my intention to take some decisive action if this course continued. I suppose we might say that out of that grew a consultation that resulted in the submission of about 19 or 20 interesting proposals, some of them particularly so, which are currently being reviewed by my staff and with other interested ministries through the interministerial committee. For example, there is representation from the Ministry of Consumer and Commercial Relations because of the wide range of proposals which include matters relating to pricing and all the rest of it. For that reason, the consumer element was important.

There has been no recommendation from that group at this point. There has been no decision, although I have recently directed that all those who are contemplating submissions should be advised that we have to cut it off because a decision has to be taken.

Mr. Foulds: How can the minister make an informed decision and expect to have a balanced representation of submissions to his committee when he has kept the existence of that committee secret, has not announced it to this Legislature or to the public and has not informed environmental groups? Why has he done it in this secret way? How does he expect to come to any valid conclusions? Does he expect to get the regulations through without public consultation?

Hon. Mr. Norton: My initial reaction is "baloney." As far as that kind of diatribe is concerned, surely there is a stage at which—

Mr. Foulds: You are going to cut off the submissions without notifying the public.

Hon. Mr. Norton: No. That is not so at all.

Mr. Foulds: That is what you said.

Hon. Mr. Norton: That is not what I said. The member should calm down and listen for a moment. These knee-jerk reactions he engages in really do betray the fact that he sometimes does show some signs of intelligence. I suggest that the member use his reason once in a while in exchanges like this and they might be more productive.

What I am engaged in at the moment is the development of a position on which I could consult further. If the member is suggesting that as a minister of the crown I am not entitled to engage in an internal process to develop a position that addresses a problem prior to consulting publicly, then he has a lot to learn.

Mr. Foulds: It's secret.

Hon. Mr. Norton: Oh, secret be damned! How could it be secret? I have talked to the press about it out here in the hall on numerous occasions. I have never been asked about it in the House before. I have been circulating letters across this province to anyone who has demonstrated an interest. Do not accuse me of being secretive.

Interjections.

The Deputy Speaker: Order.

Mr. Charlton: Mr. Speaker, the minister should know the one group outside of industry that is making a presentation had to force its way into being allowed to do so and was not informed by his ministry or anyone else.

Will the minister assure this House there will be no weakening of the regulations on refillable beverage containers as a result of this process? Will he further assure us that whatever recommendations come out of this interministerial committee will be tabled in this House so we can have a full public discussion of whatever recommendations there are?

Hon. Mr. Norton: Mr. Speaker, I suggest to the members opposite it is because of their inadequacy that they have not been aware of what the press has been aware of for months. Because the honourable member has not been aware of it, he should not accuse me of being secretive.

As to this utter nonsense about somebody forcing his way in, I do not know who the member is listening to. Presumably he is listening to some of his plants in the environmental

groups in this province; I am not going to name names, but he knows who I am referring to.

No one, to the best of my knowledge, has ever had to force his way into my office. I am very open and receptive to input from the public and, in fact, in most cases I have met personally with any group that has expressed an interest. I do not know what this reference to somebody trying to force their way in is about.

In response to the essence of the member's question regarding the ultimate recommendations, I assure him that in the fashion in which my ministry has established its good reputation, it will be a responsible proposal that I bring forward.

BOROUGH OF YORK REVIEW

Mr. Spensieri: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing, who will recall the confusion surrounding some 700 million gallons of water in the borough of York last spring.

No doubt he also will be aware of the unprecedented labour difficulties that have existed in that borough for the past two years and of the comprehensive audit performed by Thorne Riddell which indicated that the zero-base budgeting process implemented in York was not being utilized properly.

In view of all these facts, how is it possible for the minister's staff to fully investigate and prepare a report in less than four weeks in response to a request of the York-Eglinton Business Association for an inquiry into the borough's affairs? How can the businessmen and the residents of York be confident that the numerous matters raised in their request for an inquiry have been dealt with fully and accurately in such a short time?

Hon. Mr. Bennett: Mr. Speaker, in relation to the request made by the business association to review the workings of the borough of York—

Interjection.

Hon. Mr. Bennett: At least I am here five days of the week, which is somewhat better than the member for Ottawa East (Mr. Roy) can attain in this House. His efforts speak well for themselves.

Interjection.

Hon. Mr. Davis: You should talk about posing. I have never seen anybody rush to get into a picture as you did last week. You nearly tripped going down the stairs.

Mr. Deputy Speaker: Speaking to the question.

Hon. Mr. Bennett: The member thought they were going to put him on microfilm last week.

Mr. Deputy Speaker: The minister is responding to the member for Yorkview.

Hon. Mr. Bennett: As the minister reporting for municipal affairs, I was requested by the York-Eglinton Business Association to review some actions that were taken by the municipal council over the past two years in that borough.

The honourable member asks why in a relatively short period of time we were able to go in and do an assessment of the points raised in the petition and some others. It was because we had the full co-operation of the administration of that borough, which supplied to us the documentation and the background material necessary to review the points raised in that petition.

It is very clear in my response to the chairman of the association, to the mayor of the borough and to the members of council of that borough—we went through, I believe, in a point-by-point manner—that ultimately what we were really talking about was political differences. That is what it really comes down to.

The member can shake his head, but when he sits down and looks at the people who were raising the petition, at their background and so on, what they really wanted to achieve was, I gather, to embarrass the mayor and one or two members of council to some degree. Frankly, we went through the situation and we drew our conclusion.

The staff have been very effective in this aspect of reviewing municipalities. We have had a number of inquiries. They have made their analysis of other municipalities and have submitted them. They have never been told that they should do it in a slipshod or half-hearted fashion. Indeed, they took their time and analysed the questions.

I say clearly to this House and to the member, the matters that were in question were political decisions by a council. They have been dragged through the press on several occasions; they have been resolved in second and third attempts at city council. I want to emphasize again that in the opinion of the ministry, and the advice given to this minister, they were exactly that: political decisions being taken by a freely elected council. If the people do not wish that kind of decision-making, on November 8 they will decide and it will come out.

2:40 p.m.

Mr. Spensieri: It is interesting that the minister should talk about political differences. When one looks at the minister's covering letters attached to the staff report dated October 25,

the same date as appears in the report itself, would it be reasonable to infer that the minister did not review the report himself and that the letters were prepared by the report's authors?

The minister was aware of the fact that on October 7 his staff met with the borough's Tory mayor and her executive assistant; the controller, who is a former Progressive Conservative candidate in Oakwood; the PC candidate in this week's York South by-election—political differences, indeed—the Treasurer; and the borough clerk.

At that meeting, which took place only one week after the petition for an inquiry had been submitted, ministry staff were advised by the Treasurer and the PC politicians in attendance that it would be "most unlikely" that the minister would recommend that an inquiry be held.

In fact, the staff never met with the other council members or with the commissioners of public works, whose department was the subject of the comprehensive audit.

The Deputy Speaker: The question is?

Mr. Spensieri: I am coming to my question. This is a big issue, Mr. Speaker. It requires a big preamble.

Despite this, their final report was released only two weeks before the municipal election. Can the minister state with a serene face that no claim can be made that this is not unusual, unsettling and, indeed, improper for the electors of York South?

Interjections.

Hon. Mr. Bennett: It is okay. I will attempt to answer it with some degree of seriousness, because it was not asked, I do not think, in the same tone of voice.

An hon. member: It was read.

Hon. Mr. Bennett: Read. I am sorry, yes.

When the ministry is asked to do a review of a municipal operation or some particular question is raised by the municipality, obviously senior staff are assigned to go in, do the investigation and report back to the minister.

I have had the opportunity to go through the entire report with our staff, and I make no secret in this House, nor have I before, nor has the staff of the ministry, that when we go into a municipality that is under question, we meet with people who have raised the question, and we meet with the people on both the administrative and the elected levels. It is not very logical that we should wander in and do a report by talking just to the city clerk, let us say, and not talking to either of the other parties who might be very deeply involved in the issues at hand.

We went through the entire situation, and it could very well be, and I would trust, that the investigators would meet with the mayor and with how many controllers I do not know. There are some situations, and I am not saying particularly in this case, where members of the council do not accept the invitation to meet with the investigating team as to the relevance of the facts that are coming out relating to the inquiry being requested. I cannot force them, nor do I intend to.

I suggest that members of council, whether they be Mayor Gayle Christie, Fergy Brown or some of the others, very notable people in that community, are obviously Tories; and the wisdom of York is so prominent because they have elected Tories to run that jurisdiction for the past number of years.

I realize the member has a purpose in the question, because I understand we do have a candidate running for mayor in that area who is of a red nature supporting that particular party. I realize that fully. I was up there campaigning with Barbara Jafelice this morning. She is going to give that fellow a real run for his money, and even Bob Rae might have some difficulty before this is over.

The Deputy Speaker: The answer is?

Interjections.

Hon. Mr. Bennett: The answer very simply is that we did an in-depth report of the questions raised by the petitioners. We have responded to them. We were asked both by the petition group and by the people of the borough to release the report as quickly as possible so as to get in both cases, the businessmen and the elected people, the facts and figures out on the table and to get it out of the way as an election issue, which is what some people have tried to make it.

When the report was brought to us on September 25, it was analysed and had been analysed some days prior to that and it was released to the president of the association and to the mayor and members of council on that date so as to clear up any uncertainty and make it very clear. The fact remains that they are questioning the political decisions made by the elected members. If they do not agree with them, then I suggest they will have another alternative, and that comes next Monday, November 8.

Mr. Grande: Mr. Speaker, does the minister at least admit that the problem which the Liberal member raised for the first time in this

Legislature has been raised in the past five to six years by the former member for York South and myself?

Mr. Roy: Oh yes.

Mr. Kerrio: Get your book out and we'll put a star in it.

Mr. Grande: Well, the Liberals have found the issue, haven't they? They have found the issue finally.

The major concern and the distrust that the petition by the York-Eglinton Business Association has produced is a result of the frustration felt for many years because of the fact that the residents and businessmen in the borough of York are paying the highest rate of taxation anywhere in Metropolitan Toronto. As far back as a year and a half ago a petition addressed to the Premier was tabled in this Legislature and nothing has been done about that. Nothing has been done about the Goldenberg commission report of the 1960s—

The Deputy Speaker: The question is? It is coming too, is it?

Mr. Grande: It is coming as well, Mr. Speaker.

Nothing has been done about the Robarts commission report. Will the minister not admit that it is a political decision and that the political decision has been his and his government's that the borough of York resident must pay the highest rate of taxes in Metropolitan Toronto?

Hon. Mr. Bennett: Mr. Speaker, I have to suggest to the honourable member that it is a pleasant thing to hear a member of his party saying that. Whether it is party philosophy or not, I am not quite sure, but the member for Oakwood is now saying there should be a lesser rate of taxation on the business community. The other day, his own leader continued to suggest that the business community should be paying a higher degree of taxation in all jurisdictions. Indeed, he seems to be doubling back on himself to suit his own purposes today.

Very clearly, that borough has been extremely well run over the past number of years because it has had a good Tory mayor. I do not deny that for a moment. Indeed, she has been backed up by some very good Tory controllers and aldermen in that borough. I understand there will be one less Liberal alderman in that jursidiction as a result of a certain by-election on November 4.

Hon. Miss Stephenson: An NDP turned Liberal.

Hon. Mr. Bennett: An NDP turned Liberal; that is right. They are the worst kind. Rather like converted smokers or drinkers and a few other things, they preach the gospel better from the other side.

The Deputy Speaker: Order. Have you answered the question?

Hon. Mr. Bennett: Mr. Speaker, my answer very clearly is that we have examined the various remarks that have been made in relation to that borough and about other boroughs in other jurisdictions in the province municipally. I have to say that the borough of York has been shown to be properly run in all cases. They made the political decisions; they have been re-elected on numerous occasions and those same issues continue to be raised time and again, even after the elections are over.

I say very clearly that the borough of York has had a full examination by this ministry. Whatever decision I happen to make, and it does not make any difference whether I make it as the minister from an unbiased position or not, the fact is that the members on that side will always claim it to be a political decision. I am a politician; so most decisions I make will have a political overtone to them, and rightly so.

2:50 p.m.

The Deputy Speaker: Supplementary?

Mr. Martel: A new question.

The Deputy Speaker: Well, if it is a new question, it has to come from the official opposition.

Mr. Foulds: No, no. That was the member for Yorkview's question, believe it or not.

The Deputy Speaker: I am sorry. You are right. The member for Sudbury East.

DRESSER CANADA

Mr. Martel: Mr. Speaker, I have a question of the Minister of Labour regarding Dresser Canada Inc. and the failure of the internal responsibility system, the failure by the ministry to enforce, and worker intimidation.

I wonder whether the minister is aware of statements in two reports by his inspectors, one in 1980 and one in 1981. The first report stated: "The internal responsibility system is not alive and well in this shop. It must be noted that, although some items are going to require longer, most are minor in nature and could be cleaned up in very short order if an honest effort was put forward."

The second report by the minister's own inspector stated: "The internal responsibility system is not entrenched in this plant as yet. It is not yet alert and responsive to the health and

safety needs. There was a total of 26 lost-time accidents for the months of January and February of 1981. At that rate the company will have 150 in a 12-month period. This is far in excess of anything reasonable for a plant of this size."

Is the minister further aware that for November and December of 1981 and January 1982, there were 38 lost-time accidents and only eight were reported to the health and safety committee, which means there were 30 contraventions of the act, and that from April to July of 1981, of 45 lost-time accidents, only 12 were reported to the health and safety committee, which means there were 33 contraventions of the act? The same report stated that in March there were 26 contraventions on this report and they required immediate attention.

With such a large number of contraventions, can the minister tell us why they failed to lay any charges against Dresser Canada Inc.?

Hon. Mr. Ramsay: Mr. Speaker, as you are probably aware, the honourable member has been heading up a task force that has been travelling around the province. I want to commend him for that. I mean that sincerely, and I do not say that in a provocative way at all, because my philosophy is that any information we can receive about problems in the work place gives us a further opportunity to move in to try to help wherever we can.

There are 167,000 establishments or work places in Ontario. There are 3.4 million workers in those 167,000 work places, and we have a total field staff of 232; so it is impossible for our people to be constantly in each work place checking the circumstances. Something like the task force has been of great assistance to us.

Having said that, though, I must also indicate that I am disappointed that in some places the task force visited, and where we had a representative of our ministry there, the ministry personnel was asked to leave, and yet the press was allowed—

Mr. Martel: No. We allowed them in. The union said, "No, we don't want them there."

An hon. member: Now we know who runs the party. It is just what we have always said: you are run by the unions.

The Deputy Speaker: Please allow the minister to conclude.

An hon. member: From the mouths of babes the truth doth come.

Hon. Mr. Ramsay: As I was saying, on many occasions our representative was asked to leave, while the media people were allowed to remain. So that makes it a little more difficult for us to get as much information as we would like to get from the task force. Let me assure the member that in each case where we have been privy to the information they have received, our field force have been following up just as expeditiously as possible.

Mr. Martel: The minister might be interested to know that it was because they do not trust his inspectors that they did not want them there. Here are more than 100 contraventions, and no charges were laid.

Let me continue, though, because reprisals enter this picture. Is the minister aware that a Mr. Dewsberry refused to work under unsafe conditions, was sent home and had his pay deducted, and it took ministry intervention to get his money back? Is he also aware that a second man refused to perform work for a brief time because he was asked to work from a suspended wire crate without a safety harness but went back to performing the work for fear of reprisal?

Is the minister further aware that his own staff tested for welding fumes and found that of the 13 samples taken, five were in excess of the time-weighted average? Is he aware that on March 12, 38 workers refused to work under the conditions I indicated, and the company called it an illegal work stoppage, refused to pay the men and sent them the following letter—

The Deputy Speaker: You are not going to read the whole letter?

Mr. Martel: No. Just one paragraph, one sentence.

The Deputy Speaker: Does it have the question in the paragraph?

Mr. Martel: When I started out I said, "Is the minister aware?"

The letter says, "Refusing to work in this instance and failing to obtain a respirator shall be considered an illegal work stoppage and your employment may, therefore, be terminated."

In view of the fact that in all three instances reprisals were taken, can the minister tell me why his ministry did not lay a charge for those reprisals against those workers? As the minister himself said: "There are a lot of companies in this province. We have a limited staff." Unless industry knows that the minister is going to get tough with it, we will never have enough staff to cover the province.

Hon. Mr. Ramsay: The member is bringing forward a particular circumstance where the internal responsibility system obviously has not

worked. If he would give me an opportunity, I could bring forward many examples where the internal responsibility system has worked.

I could quote an article not too long ago from the Sault Ste. Marie newspaper where the vice-president of Local 2251 of the United Steelworkers of America, who is also the chairman of the occupational health and safety committee, said, "We had problems with the internal responsibility system at the beginning." But he said, "Since then, we have those problems worked out and the system is working well."

I maintain the system is working well in many places across the province, but of necessity there will be places where it does not work. Those are the ones we are working on. Those are the ones where, through an educational system and through our inspections, the act is being administered and there is a gradual improvement day after day, week after week.

Mr. Martel: Mr. Speaker, on a point of order: I do not know whether the minister has been tending to—I will not say he is attempting to mislead the House. Is the minister prepared to indicate that it is through the collective agreement that they have gone beyond the Occupational Health and Safety Act, that it is not the act itself?

The Deputy Speaker: New question; the member for St. Catharines.

SUBSIDIZED RENTAL HOUSING

Mr. Bradley: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing about a situation that is becoming an emergency very quickly. It has been a chronic situation in the Niagara Peninsula but has become an emergency rather quickly in the Niagara Peninsula and right across the province.

In view of the fact that in the Niagara Peninsula the Residential Tenancy Commission granted increases averaging 16.49 per cent over the past year, and in view of the fact that there are so many people on the waiting list of Ontario Housing—both families and senior citizens—and that there is a need for affordable housing for those in the very lowest income brackets, can the minister inform the House what immediate action he is taking to meet the needs of those specific people, who really cannot take advantage of the home buyer programs that the federal and provincial governments have placed before the population?

Hon. Mr. Bennett: Mr. Speaker, I take it the honourable member is really referring more to rental accommodation than he is to ownership. Indeed, the member will recall that a year ago we had the Ontario rental construction loan program, which was very successful in the province. I do not have the figure for the exact number of units that were built in the peninsula but, as the member will recall, 20 per cent of those units were to be given upon completion to the local authority—

Mr. R. F. Johnston: Up to.

Hon. Mr. Bennett: Up to—that is correct. Up to 20 per cent were to be made available through the housing authority in the local jurisdiction for use by people on the waiting list for public assistance in the rental of units. That number is to be supplemented by the programs of the municipal nonprofit, private nonprofit and co-op groups.

I have to suggest very sincerely to this House that one of the areas where we are going to find the greatest relief in the number of rent subsidy units will be under the private, public nonprofits and the co-ops.

3 p.m.

As the members will appreciate, our biggest problem is trying to get a better allocation of numbers of units from the federal government through Canada Mortgage and Housing Corp. and the availability of mortgage money on a write-down basis. From that point on, the feds will say to each province, and Ontario will not be excluded from the category, "You will be assigned X number of units for that type of use."

I have said to the former federal Minister of Public Works, and I am hoping to meet with the new federal minister in a short time to emphasize to him and make it clear, that one of the areas in which we have had a great shortfall has been the number of units assigned to Ontario. I think every municipal nonprofit housing corporation will attest to this. We just have not had enough units to cope in any way, shape or form with the number of people on the list.

I can assure this House and the people of this province that I will continue to stress to Mr. LeBlanc, the new minister reporting for CMHC, that there will have to be a greater number of units allocated to this province if we are to have an impact on the numbers on the waiting list for publicly assisted housing.

Mr. Bradley: I will accept that the minister is involved in these negotiations and what he says is correct. I will go on the assumption that in terms of his negotiations with the federal gov-

ernment what he is saying is correct. I do not know whether it is, but I will assume that.

Last week, the Treasurer (Mr. F. S. Miller) indicated to the House that transfer payments to municipalities will be in the nature of five per cent or less, and he is certainly privy in general terms to that kind of information. Welfare costs are going to increase tremendously. They will be looking very carefully at the people who are eligible and at how much money will be allocated.

Does the minister not recognize that on an immediate basis, regardless of what negotiations are going on with the feds, there will be a lot of people who are not going to have suitable accommodation this winter unless he is prepared to take action on his own, even if it is on a short-term basis, while he is waiting for the federal negotiations to be satisfactory to him?

If he does not take that kind of action, there will be hundreds of people in this province, many of them in the Niagara Peninsula, who simply are not going to have adequate accommodation and it will be a very difficult winter. Does the minister not recognize that? What immediate action is he going to take of his own volition to solve that problem?

Hon. Mr. Bennett: I am fully aware of some of the problems we have in relation to providing rental accommodation at a subsidized position, not only in the Niagara Peninsula but in most major metropolitan areas across the province. I am not about to suggest to the Treasurer that as a province we try to assume the entire responsibility.

The member will have to agree with me, or he should, that from a provincial taxpayer's point of view, it would be rather ridiculous because once in that position the federal government has no reason to respond positively. Its position would be, "If you can cope with the situation entirely on your own as a province, why should we be participating at all?"

I trust the member will analyse the reason for coming to that conclusion. When we talked about the blue-ribbon report Mr. MacEachen established and which Mr. Lalonde has now cast aside as not being workable, a position with which I do not disagree, the member will recall one of the principal reasons it no longer was necessary was because a number of provinces had already moved into some interest subsidy programs for mortgage funding. The federal government then did not see any reason to try to participate in that field of operation.

I would suggest to the member and to the people of this province that the moment I suggest to the Treasurer, and if we should ever take the position, that we go it alone as a province in the provision of rental accommodation, disregarding the federal government for the moment because of its slowness in responding to the problem, one can be sure it will never respond to it. I do not believe that is the direction I would want to take this province at this time.

Mr. Swart: Mr. Speaker, is the minister aware that in the city of Welland alone the housing crisis committee is getting two or three calls a day from families that either cannot afford housing or cannot afford a place to go? Is he also aware that Central Mortgage and Housing Corp. owns scores of houses in the Niagara Peninsula, even dozens in Welland, which are vacant at the present time? What approach has been made to the CMHC so that these homes can be used to meet the current housing crisis?

Hon. Mr. Bennett: Mr. Speaker, the honourable member will recall, and I am sure other members of this House will recall, that CHMC made a statement some months ago to the effect that it was going to do one of two things with those homes it had repossessed, or homes that people had turned in their keys and walked away from. If it had an opportunity to put them back into the market and sell them, it would do so; if it did not, it would put them into a rental position.

I think the member will find that across this province there are a number of units owned by CMHC as a result of defaults in mortgages that are in the rental market. It is the same in the Ontario Mortgage Corp. We have a number of condominiums that we have taken back or never sold for which we held the principal mortgages on the building; we have taken those units and turned them into rental accommodations. We have not neglected the opportunity of limiting the lease to one year so that eventually, we hope, we can put them into the position of sale units so that somebody could acquire these units under the renter-buy program .

I am fully aware of some of the vacancies that we have, and we continue to make suggestions to CMHC. But, and I say this with great respect to the new minister responsible for CMHC and his immediate predecessor, they have much concern and consideration about where people will be housed and of the fact that it is not sensible to keep an investment by the taxpayers of Ontario or Canada sitting idly by while others are still looking for accommodation.

Mr. Cosgrove and, I have no doubt, Mr.

LeBlanc—I will discuss it with him when I have my meeting with him next week—made the very point that the member raised, that they were continuing to pursue the opportunity of renting out those units they have acquired through one means or another.

FRENCH-LANGUAGE PSYCHIATRIC SERVICES

Mr. Wildman: Mr. Speaker, I have a question of the Minister of Health. Can he explain why his ministry countermanded and reneged on its commitment to provide French-language psychiatric care for the Algoma district? A statement made by the minister on October 14 was countermanded by a ministry spokesman only four or five days later.

Hon. Mr. Grossman: Mr. Speaker, there was some confusion about that original statement. The original statement as issued was not entirely correct. The situation has been clarified by a subsequent memo that came out from the ministry. That is not to say that is the final resolution of the availability of French-language psychiatric services to northern Ontario. It is simply a correction as of that date with regard to the status of that new initiative by the ministry, which I know the honourable member will support because it brings much-needed French-language psychiatric services to, I believe, five communities in northern Ontario.

We are trying to clarify that a little bit further for the member as we see just how many people are going to be available to us under this program.

Mr. Wildman: While I appreciate the minister's comment, and certainly I support the provision of French-language psychiatric care to northeastern Ontario, the point is that the original statement said it would go to five districts, one of which was the Algoma district. The subsequent statement said that this was incorrect and that French-speaking people living in the Algoma district could travel to Sudbury.

Is the minister aware of the distances that entails; that people in Dubreuilville, a francophone community about 200 miles north of Sault Ste. Marie, would have to travel almost 400 miles to getervice? Surely, if he is going to review the situation, he will provide at least a system of travelling psychiatrists to come in on a regular basis to the Algoma district as well as the other four districts.

Hon. Mr. Grossman: The number of days we were able to acquire from the psychiatrists involved was rather limited at the start of this new program. Consequently we tried to locate that given number of psychiatrists and the number of hours they had available, at four or five central points, so they would be available to a wide variety of people.

Obviously there are some people in the Algoma district who will have to travel rather extraordinary distances to get the service. As we are able to acquire more and more hours from more and more people, it is our intention to expand it. There will be no delay in terms of a trial period for a year or so; as soon as we are able to acquire more, we will be expanding it.

AMBULANCE ATTENDANTS

Mr. Van Horne: Mr. Speaker, I have a question of the Minister of Health. Ambulance attendants are being subjected to an increasing number of situations in which their own personal safety is in jeopardy because of unruly and/or unsympathetic bystanders at the scenes of some accidents or emergency calls.

Does the ministry have any emergency procedures to protect ambulance attendants at such calls?

3:10 p.m.

Hon. Mr. Grossman: Mr. Speaker, they are all trained to handle a wide variety of situations, but I do not think we should pretend that all the people involved are going to be able to handle every kind of situation that arises. When one looks at the experience throughout the province, there are extraordinarily few incidents in which something arises that they are unable to handle. I suppose with all the training possible, there will still be some. Indeed, we see tragically from time to time that there are some incidents that well-trained police officers run into and cannot handle. In looking at the record, I have to say there are so few incidents, if any, arising in the course of a year that the situation is relatively under control.

PETITIONS

START CENTRE

Mr. McNeil: I would like to file a petition containing over 3,000 names opposing the closing of the Start Centre in St. Thomas.

MUNICIPAL ELECTIONS

Mr. Stevenson: I have a petition containing 420 signatures from residents of the town of East Gwillimbury. It says:

"We the undersigned strenuously object to the fact that 128 nonresidents of our town have filed application for inclusion in the preliminary list of electors, which will entitle them to vote in the coming municipal election. They claim to be tenants by virtue of membership in a club situated in the town.

"If this practice is allowed to continue, then all small towns could lose control of their own destiny to outsiders who have little vested interest and no concern whatsoever, save their own interests. We request the provincial government to immediately enact legislation to change the Election Act and put an end to this deplorable situation."

REPORT

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. Shymko from the standing committee on social development presented the following report and moved its adoption:

In accordance with the petition tabled in the House on March 30, 1982, your committee has considered the annual report of the Ministry of Community and Social Services for the year ending March 31, 1980.

Your committee will shortly be presenting to the House a report on wife battering, but believes that other aspects of family violence require study by the committee.

Once the current session is prorogued, the Speaker's ruling of April 22, 1982, will preclude further study of family violence, by petition under standing order 33(b), of the annual report of the Ministry of Community and Social Services.

Accordingly, your committee recommends that the standing committee on social development be authorized to conduct further inquiries into family violence during the interval between the second and third sessions of this parliament.

Mr. Shymko: Mr. Speaker, the report is self-explanatory. I would like to point out that the hearings held during the summer were very successful. It was an occasion for committee members to focus on an area of serious concern, namely, domestic violence, both interfamily and intrafamily violence. The committee feels this universal problem needs further study, investigation, reporting and recommendations. This is why we recommend that this committee be allowed to continue to look at other areas of family violence between the second and third sessions of this parliament.

On motion by Mr. Shymko, the debate was adjourned.

MOTION

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Wells moved that, notwithstanding standing order 64(d), Mr. McNeil and Mr. Kells exchange positions in the order for the consideration of private members' ballot items.

Motion agreed to.

INTRODUCTION OF BILLS

FAIR PRICING ACT

Mr. Mackenzie moved, seconded by Mr. Swart, first reading of Bill 184, An Act to provide for the Fair Pricing of Products and Services sold to Consumers in Ontario.

Motion agreed to.

Mr. Mackenzie: Mr. Speaker, the purpose of the bill is to require a fair price for every product and service sold to consumers in Ontario. Where a retail seller charges an unfair price, the bill sets out procedures and remedies for ensuring compliance with the fair pricing requirements. The bill provides for an appeal of fair pricing orders to the Commercial Registration Appeal Tribunal.

CITY OF BURLINGTON ACT

Mr. Kerr moved, seconded by Mr. Havrot, first reading of Bill Pr43, An Act respecting the City of Burlington.

Motion agreed to.

ORDERS OF THE DAY

THIRD READINGS

The following bills were given third reading on motion:

Bill 91, An Act to revise the Municipal Interest and Discount Rates Act;

Bill 93, An Act to amend the Public Utilities Act;

Bill 163, An Act to amend the Agricultural Societies Act;

Bill 164, An Act to amend the Horticultural Societies Act;

Bill 171, An Act to revise the Farm Products Containers Act;

Bill 172, An Act to amend the Ministry of Agriculture and Food Act.

3:20 p.m.

MUNICIPAL AMENDMENT ACT (continued)

Resuming the adjourned debate on the motion

for second reading of Bill 150, An Act to amend the Municipal Act.

Mr. Epp: Mr. Speaker, although I adjourned the debate the other day, I am finished with my remarks, if someone else wants to speak to this particular bill.

Mr. Breaugh: Mr. Speaker, there have been a number of occasions when we have looked at amendments to acts in a similar form to this one: that of an omnibus bill. Once again I want to object to using this form to amend something like the Municipal Act. The bill really takes several matters which have no connection, except that they are covered under the Municipal Act, and puts them before the House in one package.

There is provision in certain portions of the debate for members to register that they are in favour of one part opposed to another, but the format still means that in this particular stage of debate we have to take it or leave it as a package; and if that is the process, and it is, then I am going to recommend that we continue to oppose this particular kind of presentation.

There are some matters in here to which I think I have very little objection. Certainly, some of the work that is in this particular bill purports to be simple housekeeping and, in part, it is. There are a couple of matters, though, on which I want to comment: the obvious one being that I am rather reluctant to see the end of the day when the posses can be called out. I do not know that anybody has ever used that in recent times, but it has been threatened from time to time.

There are a couple of other things that bother me. One is the reference in section 5 to deleting the prohibition against council members' receiving money from the municipal treasurer for work done, in light of the provisions of the Municipal Conflict of Interest Act, 1982. This, as yet, has not been dealt with. It is the form there rather than the contents that I object to: that is to say, we are amending one act, the Municipal Act, because there is another bill which has been tabled in the Legislature but which has not yet been fully dealt with and which will cover the provision deleted from the Municipal Act.

It brings me to the interesting problem: in a procedural sense, is it really a sane way to proceed? One act is amended on the premise that another act will be subsequently passed. We have seen racks full of legislative proposals that never really happened. For example, the Municipal Conflict of Interest Act is one which I have followed with some considerable interest. Somewhat regretfully, we have not yet been able to finalize our debate on that. There is an instance where in straight procedural terms I have some objection to using that particular kind of proposal.

What bothered me a bit more than the other proposals is the one included in the omnibus bill to provide for the use of the English and French languages by a municipality. I have difficulty with the fact, if I can put it very simply, that Ontario is putting a responsibility on to the municipalities which it does not appear to be prepared to accept for itself.

We have had several debates in this House about the proposals for the government of Ontario to accept two official languages for the province in all senses. We have established that the province is not prepared to do that; in fact, it vetoed a private member's bill which would have done that, even though the House clearly made its feelings known that in general it does support that concept. However, the government continues to refuse.

Obviously, I do not have any objection to an amendment to the Municipal Act which provides for services in both languages. We are all aware that a number of municipalities, because common sense dictates it, will do just exactly that. My objection, very simply, is that it seems to me to be an unwise process for the province to say to another level of government, "We think you ought to do that."

It also does so in a rather wishy-washy manner in this particular proposal. If it says to municipalities, "You ought to provide services," or, "You ought to be able to provide services in both official languages of this country," why is it not prepared to do so itself, with all of the ramifications?

I do not have major objections to very much that is in this bill, but I do have objections to certain portions of it and I have attempted to outline those portions. If we can devise a technique which allows me to make those distinctions before I am required to vote on the bill, or at least allows me to separate the distinctions, then I think I will have resolved the problem. I do not have great difficulty with the bill, but I will oppose it in its current form. I did want to have the opportunity to make those brief remarks.

The Acting Speaker (Mr. Cousens): The member for Ottawa East.

An hon. member: Hear, hear.

Mr. Roy: Mr. Speaker, I sense the unrestrained enthusiasm of the assembly as I rise to participate in such an important debate.

My colleague, the critic, the member for Waterloo North (Mr. Epp), has already outlined the party's position. Of course we in this party are very supportive of that position, because in the past we have accepted his leadership in the field of municipal law, amendments to municipal acts, and so on, and we have been very wise to do so. We found that to be a very wise course.

My comments are made in an attempt to be constructive about the legislation, hoping that in the process of discussing it we can make some positive amendments to it.

Mr. Conway: What do you think about the comparative merits of the minister and the parliamentary secretary to do that?

The Acting Speaker: Order.

Mr. Roy: Mr. Speaker, I am being asked by my colleague for—

The Acting Speaker: I would not be distracted by my colleague.

Mr. Roy: I am not really being distracted because he raises a very pertinent issue.

The Acting Speaker: You are in the middle of your presentation.

Mr. Roy: I would have enjoyed having the minister here, the member for Ottawa South (Mr. Bennett), especially when we are discussing legislation which is so important to his riding—that is, to allow the municipalities to have bylaws in French. That is for his riding and his personal repertoire. His reputation has been to give leadership in that field.

Mr. Conway: He is embarrassingly aggressive.

Mr. Roy: That is right. I find it somewhat disappointing that the member—knowing the importance of this legislation, especially for his municipality, the municality of Ottawa—is not in his seat to defend this legislation and in the process has sloughed it off on the parliamentary assistant, who, when we get into the finer points of French-English relations sometimes has exhibited some aggressiveness. I am not sure if the parliamentary assistant is fully apprised of the sensitivities of this particular issue.

I do not want to accuse the minister of any particular type of motivation for not being here when we are discussing this legislation, because again I point out that some time ago, when the city of Ottawa, under a bill that I personally sponsored, proposed private legislation to allow the city to enact bylaws in both French and English, the minister advised us that he would be bringing forward legislation to deal with that problem, and that he would have preferred to do it on a provincial basis rather than to do it selectively in certain areas of the province.

3:30 p.m.

In the past I have been extremely critical of this government for its lack of initiative and very often for its lack of leadership, for its unwillingness to accept guidelines or legislation to control its French-language services in Ontario. I have been critical of the government for that.

Mr. Epp: Justifiably so.

Mr. Roy: Yes. As my colleague the member for Waterloo North says, justifiably so. But I must give credit on this occasion. This is an occasion where the minister promised legislation, and his response in presenting the legislation was relatively short. The minister deserves to be congratulated and should be given the credit he deserves for having brought forward the legislation.

Having said that, I must mention quickly that since Confederation we have had a whole series of municipalities, some of which have had as high as 90 per cent francophone residents, and their councils and everything else were attempting to speak in English to try to accommodate the existing legislation. Throughout the best part of this century we have had these municipalities, which have had to enact legislation in English only for their citizens, for 90 per cent of whom the first language is French.

The minister will understand that in today's Ontario, in today's Canada, it is hard for us to accept the fact that those people over all these years were so tolerant and accepted something that was so illogical. I have talked about it on many occasions, not only as far as legislation is concerned but also even as far as the courts are concerned: how the francophones of Ontario, who are bona fide citizens of this country and of this province, were forced through all these years into a situation where they could not govern themselves, even locally—never mind getting services from the Ontario government, but even locally—and could not enact regulations, legislation or bylaws in their own language.

I do not intend to spend very much time in decrying the past. I see that the chief government whip started applauding with unrestrained enthusiasm when I said I did not want to take up very much time. With that type of enthusiasm,

he may well encourage me to continue on the history of the injustices perpetrated by his government against the francophone minority of this province. But, in spite of his encouragement, I shall not do it.

I want to say to the members present, and I am sure my colleague from Timmins will fully understand this fact, that I am not exaggerating when I say that in the past the minority had to suffer injustices that in today's Ontario are totally unacceptable, and I hope that today we are proceeding a step further towards eliminating the injustices against a very important minority in this province.

It is somewhat ironic that a government led by the member for Brampton (Mr. Davis) has systematically opposed legislating rights. The approach of the government under his leadership has been consistently to say:

"We are going to give services according to a discretion that is more or less definite. We do not like the idea of being regimented by laws. The rights of all other citizens of Ontario are determined by legislation, but francophones should not be too greedy. Do not ask us to enact legislation guaranteeing your rights, because if you do that, it is not fair; it is not the way we like to do it. We think you should accept our promise. You should just accept the fact that we are saying to you, 'Look, we are going to do it for you, and if on a particular day you step into an office, and we made a promise that on that day we would give you service, and the civil servant who speaks French does not happen to be there, that's too bad. Or if the civil servant on that particular day does not feel like speaking French to you, or we do not feel like answering your letter in French, or we don't feel like giving you French-language services, come back tomorrow. We'll see what happens tomorrow. We may have a different attitude.' "

Those are the abuses that are perpetrated when there is no legislation guaranteeing rights. It should be understood that the way the process operates is that all citizens, no matter from what group, when they want to feel they are full members of a community, when they want something fully guaranteed, the way to do it is by legislation. That is something this government has refused to do for its Franco-Ontarian minority, both in the Constitution and at the provincial level.

In spite of the fact the government has said it opposes legislating rights, occasionally there is a chink in the armour and something happens. This is an exception that undermines the general rule, the legislation here today, amending the Municipal Act, putting something into law. It is a further step forward. It has been done in the field of justice. In fact, the Attorney General, as late as last week, put forward amendments to the Judicature Act, to guarantee civil court services in certain areas of the province. Again, he had to do it by way of legislation, and that is a further crack in the armour. In other areas, especially in the field of education, we have further guarantees given by way of legislation.

As a member of the Legislature, I am extremely pleased to be here, to be able to speak about this legislation, to be able to applaud and support it. There are a couple of areas where I wish the minister and the parliamentary assistant would give some consideration to having legislation that is fully equitable both to the French-language minority and to the English-speaking majority in this province. I refer more specifically to subsection 7(4) of Bill 150, which states that the minutes of the proceedings shall be kept in English or, where so authorized by a bylaw of the council, in both English and French.

The point I want to make to the ministry is that, as I understand this provision, it states, "If you pass a bylaw allowing you to have minutes of proceedings of committees, etc., in the French and English languages, then your minutes shall be kept in both languages." I do not have any objection to that provision. Obviously, if all the proceedings take place in English, it would appear to be more sensible to keep the minutes in English. If they proceed in French, then the minutes should be kept in French.

But the ministry should make available some measure of financial assistance if it insists that, no matter which language they proceed in—and that is the way the legislation should read—if a bylaw is passed permitting the use of French and English in a particular area, in a particular municipality, and if these proceedings take place in one of the two languages, they should be kept in both languages, whether they are passed in English or French.

I am sure you appreciate that translating is an expensive business, Mr. Speaker, that it can incur considerable expense in the processes of municipalities, especially today when they are so hard-pressed for funds. If the ministry insists that the minutes of these proceedings—the bylaws, for instance—should be in both languages, at that point there should be some financial assistance to the municipality to get

the processes going. I am not sure that there are not provisions now within the government whereby municipalities can receive assistance for this type of service.

3:40 p.m.

The other provision of the statute I want to discuss with the parliamentary assistant is the question of subsection 7(7). It states: "Where any form, book, document or other paper of any kind is submitted by a municipality to a ministry of the government of Ontario in French, the municipality shall, at the request of the ministry to which the form, book, document or other paper was submitted, supply the minister with an English translation thereof."

Fair enough, if it is supplied; but again, I make this provision: In order for the law to be perfectly equitable once this bylaw has been passed in a municipality, I ask the parliamentary assistant—maybe he can discuss it with his enlightened minister—why can such requests be made only if the book, form or document is submitted in French? What if it is submitted in English and the ministry, for whatever reason, wants it to be in French? I cannot give a particular example for the time being.

For instance, having received a resolution from a particular municipality, the minister may well want to transfer or transmit the document to a French-speaking area, and he may want it in French. I ask the parliamentary assistant, why would section 7 not say that if the book, form or document is submitted in French and/or English, the minister can require that document to be in English and/or French? It seems to me there might be use for this and at least it would appear to make the legislation far more equitable.

For these reasons, I hope the minister, in some area of the government, will give consideration to the fact that municipalities that will be proceeding in this area are entitled to some form of financial assistance to respond properly to the needs of the minority in their area.

Those are two comments that I make quickly on the legislation. I am sure all the members are supportive of them; certainly the members on this side are. We will do everything to see that the legislation is passed as quickly as possible so that finally, in Ontario, local governments in areas where they represent the francophone minority can truly operate and respond to the needs of their communities in French.

M. le Président, je voudrais certainement dire—I notice as I switch into French that the Hansard people right away are taking down every word I am saying. In any event, I will go back to French, because I want to make sure Hansard does not miss a word I am saying in that language.

Monsieur le Président, il est certain que, en présentant des projets de loi aussi importants que ceux-ci, on ne peut laisser passer l'occasion de dire quelques mots en français.

Ainsi que je le mentionnais auparavant, je pense qu'il était grand temps d'avoir une telle législation en Ontario. Durant presque un siècle, Monsieur le Président,, nous avons eu des gouvernements locaux représentant souvent une population qui était dans certaines régions à 50, 70, 80 pour cent francophone. Mais à cause de la législation ontarienne, cette population ne pouvait passer de règlements ou présenter de documents dans la langue de la majorité qui était à cette époque-là francophone. On avait alors, Monsieur le Président, une situation qui était non seulement illogique, mais parfaitement injuste.

Alors, Monsieur le Président, sans vouloir critiquer trop longuement mes collègues du côté du gouvernement - Dieu sait que je ne manque pas beaucoup d'occasions de le faire - mais je regarde mon collègue, de député de Timmins, qui a un sourire presque angélique.

Je ne veux pas être trop méchant envers le gouvernement, mais je voudrais simplement qu'il est temps d'avoir une législation comme celle-ci. Même si le gouvernement Davis se fait un devoir de répéter de façon constante qu'il s'oppose à légiférer en ce qui concerne les droits de la minorité franco-ontarienne, il arrive tout de même que l'on accepte, parfois difficilement, ce qui est important et nécessaire pour avoir une législation qui garantisse les droits de la minorité. En voici un bel exemple, Monsieur le Président, avec le projet de loi 150.

Je voudrais dire, Monsieur le Président, qu'avant même cette législation, certaines municipalités présentaient des règlements en français, ce que le gouvernement acceptait ou peut-être tolérait. Je cite en exemple une municipalité de mon comté, celle de Vanier - et je voudrais la féliciter-qui présente depuis au moins dix ans des règlements, des documents, des résolutions, etc., dans les deux langues. C'était techniquement contre la loi de le faire. Mais le gouvernement a finalement décidé de faire preuve de bon sens et de présenter un projet de loi que nous sommes heureux d'appuyer aujourd'hui. Nous espérons que le plus grand nombre de municipalités possible va se servir de cette législation et encourager les citoyens à se servir d'un droit essentiel; en d'autres termes,

qu'ils soient capables de se gouverner, de représenter une minorité importante dans leur secteur.

Cela me fait donc énormément plaisir, Monsieur le Président, de soutenir ce projet de loi. J'ai déjà mentionné en anglais deux secteurs où je voudrais voir plus d'équité et je n'ai pas l'intention de me répéter. Je voudrais simplement ajouter qu'avec une législation comme celle-ci, le gouvernement devrait demander, lorsque c'est nécessaire, la traduction française d'un document présenté en anglais, puisqu'il demande la traduction anglaise d'un document présenté en français.

Il devrait également s'assurer qu'il accordera les fonds nécessaires pour que certaines municipalités puissent satisfaire aux nécessités que cette loi va susciter. Je suis certain, Monsieur le Président, que mes collègues - surtout celui de Timmins - vont se rendre compte que dans une époque difficile sur le plan économique comme celle que nous vivons, certaines municipalités risquent d'être réticentes à présenter des règlements dans les deux langues en raison de la hausse du coût que cela va engendrer; et les citoyens vont peut-être critiquer en disant ne pas vouloir voir augmenter leurs impôts. Il faudrait être sûr, Monsieur le Président, que ce ne sera pas le cas. Il faut s'assurer que des secteurs de la province ne nieront pas un droit fondamental à leur minorité à cause du coût. J'espère que le gouvernement va octroyer les fonds nécessaires pour encourager surtout au début - la prestation de services dans les deux langues, au niveau municipal.

3:50 p.m.

Mr. Speaker, I appreciate your indulgence and your extreme interest in every word that I had to say about this legislation. I can tell from your demeanour that you are fully in support of every sentence, of every period, that I have uttered in relation to this particular piece of legislation. So, sensing the unanimity of this assembly, I certainly see no reason why it should not be passed quickly.

I will make this comment: I am sure that having fully reviewed this legislation, the members would not wish me to sit down without having an opportunity to say certain words about one aspect of this legislation which is missing. The legislation talks about electors in paragraph 1 but nowhere does it define an elector as is done in other legislation.

I want to put this point on the record. I am very disappointed that the government of Ontario, in November 1982, still has not accepted the fact that the people who should vote in municipal elections have one criterion and one criterion alone. There should be one basic principle, and that is simply that they be Canadian citizens. That should be the very simple and straightforward criterion for anyone who wants to vote, but that is not the case in Ontario.

We still have one standard in all legislation, in many statutes provincially, that says you have to be a Canadian citizen or British subject. That does not make sense today especially in a province such as this and in a city such as this, where we have groups from all over the world living. It does not make sense to treat one sector of our population differently. It does not make sense that we say to people who happen to be from Pakistan, who are considered to be British subjects, that they can vote. I may be wrong about Pakistan but, if they are from India or Australia, we say to them: "If you happen to be from that area, you can vote as long as you have the residency requirement." If they happen to be from the United States—

Mr. Epp: Or from Buffalo.

Mr. Roy: Or if they are from Buffalo, as my friend said, they cannot vote. If they happen to be from—

Mr. Nixon: The Falkland Islands.

Mr. Roy: If they are from the Falkland Islands, as my colleague the House leader said, they can vote. We have argued about this since I have been here. We feel it just does not make sense.

What makes it more pressing than ever, having in mind that this is legislation that we are talking about on November 2, 1982, and the election is going to be held on November 8, 1982, is the fact that we have a charter. We had a new Charter of Rights passed and accepted in April 1982.

I am always loath to give a free legal opinion, but on this particular occasion I want to share with the members a great concern that I have from a legal point of view. At some point, if the government allows British citizens to vote in municipal elections, there will be somebody who is going to challenge one of these elections.

What does my colleague the parliamentary assistant say about that? He said something but I did not quite hear him.

Mr. Rotenberg: Also the provincial elections.

Mr. Roy: It should be, but the problem is that we are having a municipal election on November 8. That is going to be the first one to be challenged.

Mr. Nixon: They continue to exclude judges, which is against the charter.

Mr. Roy: That may well be another area that our House leader is talking about, but I doubt if any judges will be challenging it, because apparently most of them have decided that they do not want to vote. In any event, the fact remains that at some point someone is going to challenge the results of one of these municipal elections which are going to take place next week. I suggest that someone is going to be successful.

I see my colleague the parliamentary assistant is shaking his head. I say to him that if he wants to have a little wager on this, please be my guest. In fact, if he wants to wait to make a wager, he can discuss it with his friend the Attorney General (Mr. McMurtry); if he gives the member an opinion contrary to mine, he should bet a lot of money on my side. The last time the Attorney General gave a constitutional opinion and tried to defend it before the Supreme Court of Canada, he missed out nine to zip. The judges went against him.

The issue of British subjects is clearly against the charter. The charter states that Canadian citizens are the ones who are entitled to vote in municipal and provincial elections. In a matter of a very few years, section 15, which talks about equality before the law, will strike down any legislation that gives preference to a group of citizens because of their place of origin.

It is clearly against the charter, and I find it clearly irresponsible on the part of the minister, knowing about this—I am sure he and the parliamentary assistant have received complaints about this—that he would allow a further municipal election on November 8 without having amended the provincial legislation and taken out the wording about British subjects. Further down the line, if a whole series of elections is challenged and the courts rule that our laws are discriminatory, we will be in a fine pickle indeed when each and every municipal election in Ontario is challenged.

I say to the minister, he should bring forward the legislation. We will pass it before the municipal elections; we have time to do that. Let him bring forward the necessary legislation so that when the election comes around, the people who vote will all be on the same footing. It is very simple: We are all Canadians; that is the criterion for allowing people to vote. Not only would the minister be rendering justice to all the people of this province, but at the same time he will ensure that none of the elections will be challenged.

Mr. Cassidy: Monsieur le Président, je tiens à dire que le Nouveau Parti Démocratique préconisait depuis longtemps la reconnaissance des droits linguistiques des Franco-ontariens aux niveaux municipal et provincial en Ontario.

Ce fut une lutte dans laquelle nous avons rencontré une résistance continuelle, et qui a pu sembler parfois perpétuelle, de la part du gouvernement conservateur. Je reconnais qu'avec le projet de loi 150, le gouvernement a fait un petit pas en avant, en accordant aux municipalités le droit nouveau d'utiliser le français pour leurs règlements, dans les débats et les rapports publiés par le Conseil municipal.

Comme mon collègue M. Breaugh, d'Oshawa, a indiqué, nous nous opposons au projet de loi 150 pour plusieurs raisons. Tout d'abord, parce qu'il s'agit d'un bill omnibus et qu'il est impossible d'en séparer tous les éléments.

Il faut convenir également que le gouvernement a fait, en 1982, l'effort qui convient pour la reconnaissance des droits des Franco-ontariens. J'aimerais bien, Monsieur le Président, vous indiquer brièvement les points saillants de l'article 7 du projet de loi et comment celui-ci semble insuffisant pour reconnaître les vrais droits des Franco-ontariens.

Il me semble néanmoins que le progrès - car il y a progrès n'est pas suffisant. Notons par exemple le cas d'une municipalité ayant une majorité de francophones; le projet de loi 150 n'assure pas aux citoyens, aux conseillers de cette municipalité le droit d'utiliser le français ni le droit d'avoir les règlements en français. Ce qui veut dire qu'en Ontario, l'anglais peut continuer à reigner dans les municipalités, même celles à majorité francophone.

4 p.m.

Je tiens à suggérer au ministre ou au secrétaire parlementaire, le cas de la situation qui existe au sein du conseil scolaire à Iroquois Falls. Voilà la situation d'une municipalité avec une forte majorité francophone, des lois qui existent depuis longtemps, en principe pour garantir des écoles secondaires françaises aux élèves de la communauté avec une telle majorité de langue française. Dans ce cas-là, le conseil scolaire s'est carrément opposé à la reconnaissance des droits des Franco-ontariens, au point que le conseil scolaire ne refuse pas simplement les demandes de la communauté ou ce qui vient du conseil consultatif des Franco-ontariens, mais aussi les interventions de la Commission des langues d'instruction qui a indiqué très clairement plusieurs fois que le conseil scolaire doit donner de plein droit à la communauté

franco-ontarienne sa propre école secondaire française. Lorsque l'utilisation du français est un privilège - comme c'est le cas en Ontario - il arrive souvent que des conseillers, des conseils municipals ou scolaires où la majorité est anglophone, refusent toujours de reconnaître les droits des Franco-ontariens. Cette situation peut malheureusement continuer, malgré la législation proposée aujourd'hui.

I am suggesting that the minister and the government should have done a great deal more consulting and thinking about this particular legislation coming before them, if it was really the intention of the government to guarantee to communities where there is a substantial amount of French spoken, that French would be recognized in their municipal councils. The law says that French—

Hon. Mr. Pope: On a point of information, Mr. Speaker.

The Deputy Speaker: Information?

Mr. Cassidy: On a point of order, Mr. Speaker. There is no such—

The Deputy Speaker: Well, on a point of order.

Hon. Mr. Pope: On a point of order, then, if you want. Mr. Speaker, the honourable member has indicated, in French, that the anglophone majority in Iroquois Falls has obtained control of the school board and is preventing the francophones in Iroquois Falls from obtaining their rights.

If the honourable member had spent a little more time researching the issue he would know that on the one hand, there is a survey which indicates that a slight majority of francophones wish to have a separate French language entity and on the other hand, there is a petition signed by a majority of francophones in the community opposing a French-language entity. What the responsible people in the community are trying to do is to resolve the issue and—

Mr. Nixon: Why doesn't the minister make a speech?

The Deputy Speaker: I tend to agree with the member for Brant-Oxford-Norfolk.

Hon. Mr. Pope: The honourable member has indicated in French something that is not factually correct.

The Deputy Speaker: You will have your time.

Mr. Roy: On a point of order, Mr. Speaker. With respect, it is a very important issue and the minister should not in any way colour the issue. The fact remains that the school board for Iroquois Falls, which governs the Iroquois Falls situation, has consistently refused to accept the recommendations of the Languages of Instruction Commission of Ontario. That is the situation which is recommending a separate French-language school.

Hon. Mr. Pope: What was factually incorrect and what was said here was that the anglophones had elected that school board in the last election. The member knows that is wrong. He knows the ward system in the area.

Mr. Roy: I put the facts as they are.

Hon. Mr. Pope: All right, the member put the facts on the table. The facts on the table are that in every single ward French-language electors—

The Deputy Speaker: Order, Mr. Minister.

Hon. Mr. Pope: —elect the members to the school board and in most wards, the majority is francophone.

Mr. Grande: Mr. Speaker, what is going on here?

The Deputy Speaker: I know, but he will have a chance to debate—

Hon. Mr. Pope: He should tell the truth for a change.

Mr. Cassidy: With respect, Mr. Speaker, the minister himself should know that the way the system is set up makes it extremely difficult for French-language electors. They do not elect the majority of most school boards because school boards which govern high schools are controlled by the English-speaking and Protestant majority.

I am not exactly sure of the situation in Iroquois Falls except that I know there has been report after report and recommendation after recommendation coming from the Languages of Instruction Commission of Ontario.

If the minister is disowning the Languages of Instruction Commission of Ontario, he had better say so publicly. It is a creation of his government. If he wants to break ranks with the government, that is fine, but some years ago that was set up as a means of providing an impartial look at the situation so one would not get the contentious type of comments one is getting from the minister today.

I am aware it is an anguished and a difficult situation in Iroquois Falls, but I am upset by what the minister has to say. I am upset by his suggestion. Again and again, the government has come along when we have objected to

something it has done and said, "We have the majority, so stuff it."

Interjections.

Mr. Cassidy: That is right.

If one wants to look at the facts, this government was elected by the votes of something like 28 per cent of the eligible voters of the province in the last provincial election. Maybe it was 25 per cent. That is the majority it uses to jackboot its way around this place from time to time.

The fact is we have a system by which we make decisions and, if the majority of the people in Iroquois Falls have decided they want to have their own school and if the law guarantees that, then it seems to me it should be there. The problem with this piece of legislation—

Mr. Rotenberg: Mr. Speaker, may I speak on a point of order?

Mr. Cassidy: Mr. Speaker, I am speaking about the minister's legislation, if he would just wait for a minute.

The Deputy Speaker: He would like to make a point of order. We always entitle members to make points of order.

Mr. Grande: Make it a point of order now.

Mr. Rotenberg: Mr. Speaker, it is a point of order. The bill we are dealing with is the Municipal Act. The Municipal Act has absolutely no jurisdiction over schools, school boards or school board elections. I did not interrupt when the first point was made but, with respect, I feel any debate on school boards, school board elections or anything about schools is not in order under the Municipal Act. It is not part of this bill nor this ministry.

The Deputy Speaker: What does the member for Ottawa Centre say about that?

Mr. Cassidy: Mr. Speaker, the minister did not address his colleague but waited until I talked about schools.

Mr. Rotenberg: I let you make your point.

Hon. Mr. Pope: You were saying something in French which was inaccurate.

Mr. Cassidy: The point I want to make is the reason for introducing that is not extraneous at all because the questions of French language rights in this province do cover many different areas. They are not just in one area whether it be municipalities, schools or something like that. It is the whole question of French language rights on which this government has been extremely reluctant to act over many years.

The point I am making to the parliamentary assistant is, what is going to happen three or four years after this bill is passed if a French language councillor gets on a municipal council somewhere in the province, and it could even be in an area which has a majority of francophones, says, "I want to speak in French," and then turns to see what backing he has in law? There is no backing.

The council may have debates in French and in English, but French will not even be recognized as a language, as a right, in municipal councils in Ontario if this bill goes forward in the present form.

It says, "Every council and every committee of council may conduct its proceedings in English or French or in both English and French." It "may conduct its proceedings," but it does not indicate there is any barrier to a council passing a bylaw saying, "English only spoken here." I believe that is a serious neglect in this bill and I am surprised that the member for Ottawa East would not have pointed to that and have indicated a necessary change was desirable and should be made in the legislation.

If I can address the parliamentary assistant, this bill can go to committee and I would suggest seriously that he accept an amendment or propose an amendment which indicates French is an acceptable language in any municipal council in Ontario.

In terms of a council having its bylaws in both French and English, I do not think a council in the Niagara Peninsula or north of Toronto should necessarily be required to have all of its bylaws in French as well as in English. There may not be cause, but I suspect this would be a better bill if the minister had indicated that the government had decided to set out criteria for bilingual municipalities.

4:10 p.m.

Comme vous le savez, M. le secrétaire parlementaire, cela fait longtemps maintenant que le Conseil municipal d'Ottawa a déclaré cette ville bilingue. Il y a longtemps aussi que les règlements de la ville d'Ottawa existent dans les deux langues officielles de notre pays. Toutes les municipalités de la région n'ont pas encore franchi ce pas. C'est une étape à venir et qui doit être encouragée.

Le projet de loi devrait mentionner que toutes les municipalités ont le droit de se déclarer bilingue - et cela veut dire le français et l'anglais - plutôt que d'indiquer simplement qu'elles peuvent utiliser les deux langues officielles du pays.

Je me souviens que récemment encore, en 1974, au moment de l'élection provinciale de Carleton-Est, nous avons fait une étude sur les droits officiels des Franco-ontariens. Il y a huit ans seulement, il n'était pas possible de se marier, de naître, de mourir, ou même d'avoir un permis de conduire en français dans la province de l'Ontario. De nombreux documents officiels ontariens n'étaient disponibles qu'en anglais. Vous n'aviez pas alors le droit de recevoir un enseignement en français. La situation s'est certainement améliorée, mais elle reste parfois difficile, telle celle d'Iroquois Falls que nous avons citée et où le comité consultatif a demandé une école secondaire exclusivement en français mais s'est vu refuser ce droit par le conseil scolaire. Les Franco-ontariens n'ont reçu aucun soutien, pas même de la part du ministère de l'Education.

It has only been eight years since there were almost no rights for Franco-Ontarians in this province. We have begun to make some progress. We have got birth certificates in French, driver's licences, official documents and forms, and that kind of thing. None the less, this legislation is still far too timid and feeble a step in relation to what I believe this province is ready for now and what I believe the municipalities are ready for now.

Therefore, I would like to suggest to the parliamentary assistant that he seriously consider the changes I have indicated. One would be to ensure that French may be used as a matter of right and not of privilege, that no bylaw may be passed in this province to exclude a councillor from speaking in French or to exclude someone who wishes to come and petition or make a presentation to a municipal council from speaking in the other official language of the country, French. That is the very least that should be in the law in 1982.

I also want to differ from my colleague for Ottawa East (Mr. Roy) with respect to the final portion of this section of the bill, which I think is patronizing, paternalistic, overbearing and undesirable and should be removed. This is the section that says to the municipalities that, while they can prepare documents in French and that is their right, for goodness' sake do not try to make the province of Ontario understand them.

This section of the bill says that if in its wisdom some department of the provincial government does not like having received a document from a municipality in French, then they can go back to the municipality and say, "Fellows, translate it into English before we have to deal with it."

There used to be a phrase for that. I hesitate to use it in this House, but people used to say to Franco-Ontarians and to French-Canadians, "Speak white." I am afraid that this in essence is what the law is saying right here where it says: "Where any form, book, document or other paper of any kind is submitted by a municipality"—

Mr. Harris: I never heard of it in 30 years.

Mr. Cassidy: You never heard it in 30 years? Well, it has been around this country until very recently, and it is in this piece of legislation right here. It says, "Speak white." I will read it to you.

Mr. Harris: You made it up.

Mr. Cassidy: "Where any form, book, document or other paper of any kind is submitted by a municipality to a ministry of the government of Ontario in French, the municipality shall, at the request of the minister of the ministry to which the form, book, document or other paper was submitted, supply the minister with an English translation thereof."

This means that in the case of the united counties of Prescott and Russell where the population is overwhelmingly French-speaking, and where as a matter of course the papers and reports coming to council are largely being produced in French since they are now guaranteed this right, if the clerk treasurer of that township writes a letter to the Ministry of Municipal Affairs and Housing in French, being more comfortable in French, this section of the law gives the ministry the legal right to send it back and say—and I suppose the letter would be written in English—"We are sorry, but would you please speak white, would you please translate this letter and send us a translation along with your original copy?"

Mr. J. A. Taylor: Shame on you.

Mr. Cassidy: Shame on this legislation. Why shame on me?

Mr. J. A. Taylor: Shame on you, the way you twist and distort the truth.

Mr. Cassidy: Is a letter a paper? Of course a letter is a paper. It certainly can be interpreted that way and I am sure a small municipality is not in a position to take this matter up to the Supreme Court of Ontario or of Canada to determine whether it has the right to communicate with the Ministry of Municipal Affairs and Housing in either English or in French.

Mr. J. A. Taylor: You insult your own party.

Mr. Grande: You should know what distortion of the truth is.

Mr. Cassidy: The member for Ottawa East (Mr. Roy) was all sweetness and light. He said everybody supports this. While we definitely support the principle that is involved here of recognizing the rights of municipalities to be bilingual, and there is no question about that because we were there a long time before this government was, what I am suggesting is the section of the bill has been badly drafted. The section of the bill should have been rethought before it was put in. Now that it is here, one of our functions in this Legislature is to seek to improve it and to seek to make it better than it was when it came in.

I simply suggest subsection 7 should be removed. If a municipality has copies of a report in both English and French and someone picks up the phone and says, "Do you happen to have a copy of this in English?" if it is available, I am sure a municipality would co-operate. I do not believe a municipality which happens to communicate with the ministry in French should be required to do so in English as well, not only because of the expense but also because of the principle.

After the progress the ministry and the government keep on telling us has been made in terms of French-language services, it surely is not beyond possibility that there will be civil servants within the ministry capable of dealing with some correspondence or communication in French without the necessity of having it translated into English.

I could comment on other sections of the bill. I would find it helpful if the parliamentary assistant would speak to some of these items. The member for Prince Edward-Lennox (Mr. J. A. Taylor) has been heating things up here a bit with some of his comments.

I am not sure where he stands on this bill. I am not even sure where he stands on the question of French-language rights. But at the end of this debate perhaps the parliamentary assistant could indicate whether the government would be prepared to let this go to a committee—we can make it go to a committee anyway—to make the changes I have proposed.

Notice that while I would like to see it included, I am not suggesting an amendment that would require a municipality to be bilingual if more than a certain proportion of its population is French speaking. We may come to that before very long, but I am suggesting two or three amendments which I think were overlooked in the drafting, which I think the parliamentary assistant and his party could accept and which would be seen as being a reasonable concession and a further step forward as far as the French-language community is concerned.

Let us not get ourselves into the position where a year or two hence someone picks up the bill and finds that simple basic rights of communicating in French in his municipal council or with the government of Ontario have actually been taken away because of what was dressed up as a well-meaning step forward by the government.

Monsieur le Président, j'aimerais en conclusion, commenter la suggestion du député d'Ottawa-Est, à savoir que les citoyens canadiens doivent avoir le droit de participer aux affaires municipales.

4:20 p.m.

For a long time, people in our party have suggested that municipal government is the government very close to people and the one that deals with such issues as streets, community centres, recreation, welfare services, services to people and that kind of thing. Since municipal government has little or nothing to do with issues such as foreign affairs and foreign trade that properly belong just to nationals of Canada, I would like to suggest to the member for Ottawa East that rather than be stingy with the right to participate in municipal affairs, we should be seeing municipal affairs as a step into the democratic process for people who are not yet Canadian citizens, including many who may not have had as developed a tradition of democracy in their country as it is in many parts of Canada. Whether it is developed in this province or not is perhaps another question.

I am suggesting that the question of giving the vote only to British subjects is antiquated and should not stay as it stands. I would have thought that—[remarks in Italian]—and that applies to people from Portugal, people from Poland—

Mr. Rotenberg: How is your Polish?

Mr. Cassidy: Not so good. Probably the parliamentary assistant will reply in Polish. There are also people from the Philippines and Vietnam and Hong Kong. We have got a very rich mosaic of people who are becoming Canadians. It seems to me it would be a very healthy kind of half-way step into participation in public

life for people to begin by having a municipal right to vote.

Certainly they pay their taxes and they are very much aware of them. Too often, I am afraid the people who live in neighbourhoods like Rockcliffe and Forest Hill forget the mosaic of the communities in which they live. Too often they make assumptions about what should be theirs by right, while denying certain services to people who are new Canadians, newly arrived in our province and our cities.

This is not part of the bill. I recognize that, and that is why I shall close off at this point, but I would suggest that could be something the ministry should consider as part of the commitment, for which we even have a minister, for goodness' sake, to the ethnic mosaic that exists here in this province.

The last point I would make is that I am disappointed with the minister and with the parliamentary assistant about the fact that the opportunity that could have been taken in this bill has not been taken to legitimize and to assure anyone who may be concerned, that the referenda taking place on disarmament in next Monday's election will not be challenged in the courts in any way.

The parliamentary assistant knows that in the borough of York in Metropolitan Toronto, the question of disarmament was taken off the ballot because of the fact that with all of the assurances that came from the Attorney General, the government was not prepared to give third reading to Mr. Epp's bill, which I had seconded, or to introduce its own bill or its own amendments which would have simply ensured that particular referendum was legitimate.

As I pointed out in letters to the ministry, if the ministry was concerned about precedents as a consequence of that referendum, by not acting, far more precedents will have been created than had an action been taken, such as an amendment that was included in this particular bill.

I say that because on Monday the referenda will take place in Ottawa and Toronto and many places. After that, the indications are that should a legal challenge be attempted it will fail. If no legal challenge is attempted, or if a legal challenge that is attempted fails, a precedent will then have been set for any municipality to have a referendum on almost any subject it pleases, regardless of whether or not it comes specifically within the terms of municipal powers under the Municipal Act. I am acknowledging that the questions of disarmament do not seem to be specifically referred to in the Municipal Act. Questions about capital punishment, abortion and energy conservation, all kinds of questions will in fact be legitimized.

It is my understanding that the minister and the ministry were trying to prevent any number of referenda on any particular subject having legitimacy.

Had the government accepted the bill of the member for Waterloo and myself to legitimize this specific referendum, then the precedent would have been set that by parliamentary action in the Legislature a specific referendum on a specific subject of which the Legislature approved was okay. The broader question about whether referenda in general were okay or not, would effectively not have been decided either by the action or nonaction of the courts.

I am suggesting, therefore, that given the aims which I think the Minister of Municipal Affairs and Housing (Mr. Bennett) made fairly clear—that is, he does not want to have a lot of referenda—then he was wrong to adopt the strategy of bottling up the legislation which, I would remind the parliamentary secretary, was adopted by an overwhelming majority of the members of this Legislature.

When you get a noncontroversial area like this, one which the members themselves have been involved in and endorsed on a nonpartisan basis—some 72 members of the Legislature endorsed resolutions around the subject of disarmament and it was done on a nonpartisan basis—it makes a mockery of the whole process of private members' bills when the government in its wisdom, or a minister in his wisdom, then decides to bottle up action which the Legislature clearly intended and wished to take.

Mr. Breithaupt: Mr. Speaker, I want to rise particularly with respect to the first paragraph of the bill which has brought forward certain comments concerning the qualifications of electors.

As members may recall, I introduced into this sitting a reworking of the bill which I introduced in 1977 to amend the Election Act. In its 1982 emanation, the bill removes the phrase "or other British subject" from the list of those persons qualified to vote in Ontario provincial elections.

At the time I introduced that bill, I said it would be only natural that municipal voting privileges should be similarly amended so there would be only one qualification for voting in municipal or provincial elections in Ontario. That, of course, would be Canadian citizenship.

In my view it is unrealistic to expect that anyone who comes to Canada should be allowed to vote in provincial or municipal elections without being a citizen.

I find that the term "British subject" has no meaning since there are no longer any British subjects as such. It is a silly anachronism in Ontario law. Perhaps as part of our bicentennial celebrations in 1984, that term could finally be sent to the dustbin of history where it belongs.

It is true that there are now people called Commonwealth citizens, but there is no longer any person called a British subject. We have seen the four-page document printed by the minister, telling clerks how they could allow someone from Nauru or Lesotho or Kiribati to vote in a municipal election. It may be that we have persons from those countries who are skilled in their knowledge of the Ontario municipal scene, but I rather doubt it.

I believe it is no longer appropriate to allow persons who have no particular background in our way of government to vote because they are so-called British subjects and to deny that to others who may well come from other nations with a much stronger tradition, background and development in the kinds of relationships which we have in Ontario.

The question then becomes, to whom should we be unfair? Should we be unfair to those who come from other parts of the Commonwealth because they are not citizens, or should they be given an advantage? On the other hand, should we put persons from everywhere else in the world at a disadvantage? Some may say that my proposal has been to treat each of them unfairly. That, presumably, is the view of the member for Ottawa Centre (Mr. Cassidy) who would prefer—

Mr. Stokes: Is there reciprocity?

4:30 p.m.

Mr. Breithaupt: There is not, of course, reciprocity. The only nation that allows citizens from other countries to vote in its own elections is, I presume, the United Kingdom, and that is a problem they are stuck with. We are not.

While there is some merit in the view expressed by the member for Ottawa Centre that the municipal election scene has a learning opportunity for the landed immigrant—there is some merit in that view; I do not deny it—it is still my preference, clearly, that Canadian citizenship, easily attained after three years' residence, should be the common criterion for everyone no matter from what country around the world he or she comes.

I thought it was important to set out that distinction because, now that we have not only our Constitution but a national anthem and a variety of other Canadian aspects, we will continue to do ourselves a disservice to allow this kind of tradition to remain. At one time in our history it had some merit; there is no question about that. When those coming to Canada and to Ontario were most likely coming from the British Isles, where the forms of government were similar, to be able to vote after one year's residence was not unreasonable in those days. But those days are long since past, as the Empire is past. A commonwealth of nations, freely associating with each other under the recognition or formal operation of the monarchy, has developed in a most substantial and pleasing way to me as someone who is a very strong proponent of the Canadian monarchy.

Since the word "electors" is referred to, it is worthwhile to place on the record that Canadian citizenship is the sort of thing we should be favouring; that Canadian citizenship is easily and readily acquired by persons coming from any country of the world, whether they happen to have the formality of a connection to the Commonwealth or not. It is the kind of theme that may not be particularly involved, I suggest, but still does remind us, as we look at paragraph 8 of section 1 where we define persons entitled to vote, that its time has come.

I hope that either my amendment will pass eventually in the Election Act in the same manner in which it was proposed five years ago, or that changes may be considered even in this bill, so that we can get on with what I think is a particularly important pro-Canadian and not anti-anyone else attitude that I look forward to seeing.

With respect to the use of language in the other sections, and certainly with respect to the translation form, those are matters that clearly should be considered in committee because of the clear differences in understanding as to what the provisions mean. In the meantime, I confine my remarks simply to that one theme, which I have been interested in for some time.

Mr. Samis: Monsieur le Président, j'aimerais parler brièvement de ce projet de loi, surtout parce que j'ai plus de 40 pour cent de mes électeurs d'origine canadienne-française. Si l'on regarde l'histoire de ma région, celle de la population francophone de l'Ontario, avec la lutte qui la caractérise pour l'égalité de nos droits linguistiques, éducationnels et culturels, il ressort que c'est dans le domaine municipal

que la lutte a été la plus dure. Plusieurs municipalités ont simplement failli établir leurs droits que je crois légitimes.

Alors, nombre de mes électeurs vont se demander pourquoi en Ontario, à l'Asssemblée législative, vous n'avez un projet de loi que maintenant . . . cent quinze ans après la Confédération. Pourquoi discuter des droits des francophones au niveau municipal? Pourquoi discuter de cette question quatre ans après le fameux référendum au Québec? Pourquoi en discuter dans le seul contexte municipal, et non au niveau provincial? Pourquoi ne pas avoir une politique globale dans le contexte provincial? Pourquoi ne pas discuter d'une politique qui reconnaisse les droits fondamentaux linguistiques de la minorité francophone en Ontario? Il y a quatre ans, je crois, que j'ai présenté mon projet de loi pour une reconnaissance officielle des droits linguistiques de la population francophone en Ontario. C'était l'année où nous avons eu un débat sur le projet de loi présenté par mon collègue d'Ottawa-Est, projet que le Premier ministre a malheureusement fait avorter.

Je crois que le projet de loi que nous avons devant nous aujourd'hui montre le manque de leadership du Premier ministre de l'Ontario vis-à-vis des droits linguistiques de notre minorité. Il est vrai que nous avons fait des progrès quant aux services offerts à la population francophone: par exemple, dans le domaine de la santé, dans le domaine juridique et celui de l'enseignement. Mais la chose dont nous manquons le plus, c'est le symbolisme. Nous avons besoin que le Premier ministre, le gouvernement de l'Ontario, reconnaissent les droits fondamentaux des francophones. Nous faisons des progrès par ci par là, et je pense que le projet de loi présenté aujourd'hui est un signe de progrès. Mais nous manquons d'une reconnaissance officielle. Monsieur Hatfield, Premier ministre conservateur, l'a fait au Nouveau-Brunswick; il a reconnu que les francophones n'ont pas seulement besoin de lois ou de changements, mais d'un symbolisme: la reconnaissance officielle de leurs droits, de leur position dans leur province. Le Manitoba l'a fait il y a cent douze ans, dans l'Acte de la Confédération. Ici en Ontario, le système est très différent. Nous faisons le travail par petits morceaux, mais nous manquons de l'élément le plus important qui est la reconnaissance des droits fondamentaux dans le cadre d'un projet de loi général.

Mr. Speaker, I want to say briefly that in my riding, which has a large French-Canadian population, the question of municipal services and the rights of the linguistic minority at the municipal level is still a live issue. The council is conducted mainly in English, but we do have some people on city council who regard French as their mother language. And among the francophone population the question would be why has it taken so long for even this small piece of progress to be brought forth on the floor of the Ontario Legislature. Here we are, talking 115 years after the date of Confederation and after the famous referendum in Quebec.

We have made progress in Ontario, I am the first to admit, with respect to minority rights, especially in the field of services, in the courts, in judicial services and in education and we have made some progress in health services. We still have a way to go, but we have made progress, and to a certain extent this bill is another demonstration of this piecemeal approach. It is always the back door approach.

Fundamentally, what we are lacking in Ontario is an official commitment from the Premier (Mr. Davis) to recognize the basic rights of the two founding groups in this province and to recognize linguistic and cultural equality in Ontario.

Richard Hatfield did it in New Brunswick. I think it took a lot of courage for a Tory Premier to challenge the traditions of that province and to come out with probably the most comprehensive act recognizing minority rights at all levels—not just in education but at all levels; and he has stood by it. He has had to overcome a lot of opposition within his own caucus and among his own supporters. And he has been able to get re-elected, I would emphasize, for a record mandate in New Brunswick politics. Still that policy has become law and is now becoming part of the fabric of New Brunswick. I only wish the Premier of this province had the same courage, the same foresight and the same basic guts and commitment that Richard Hatfield has demonstrated towards the minority in his province.

It is interesting to note that last week it was announced in Manitoba that they will be bringing in a modified system of simultaneous translation in the Legislature. All members there then will be able to speak and listen in either of the official languages in that province.

4:40 p.m.

One other thing I want to mention is that I have some concern about the effects of the bill in a place like Penetanguishene. I know there are strong feelings there on both sides, but especially among those opposed to any form of

what they consider a concession. They still seem to be fighting the battle of the Plains of Abraham in certain segments of their community. I am concerned that a person who wanted to speak in French could effectively be denied that right—and I would consider it to be a right, not a privilege—if the majority of the council passed a resolution saying that everything would be conducted in English and that all documents and matters would be registered or recorded only in English.

Once again the people in the minority group are at the mercy of the majority. It has been proven over and over again that this makes it very difficult in certain cases. Because if they do not have the full force of the law behind them and it is left up to local option, if it is clear that the Premier is not committed to full, complete, official equality, it then allows certain people at the local level who do not accept the idea of equality, who do not accept the duality of Canada and who do not respect minority rights, to use the force of their majority to deny what I would consider to be a basic right to someone who is a francophone. I have real reservations about whether the wording of section 7 would adequately protect the rights of someone in a situation such as that in Penetanguishene.

My colleague the member for Ottawa East (Mr. Roy) made some worthwhile suggestions regarding section 7 and the question of funding. Obviously this would mean added costs for the municipality, and those who are either anti-French or are opposed to minority rights, those who are lukewarm on the issue or who do not see the need to grant this particular right, would cite the question of costs. They would say: "We cannot afford it; therefore we cannot do it. It is not a question of being anti-French; it is just a question of dollars and cents."

In cases such as this, where you are talking about a minority, the province is responsible for the provision of adequate funding for those municipalities that need it whether they are in eastern Ontario or in northern Ontario. We have to take the responsibility not only with respect to the law itself but in funding the minority so they can have the full rights guaranteed by the law.

Another issue brought up by my colleagues the member for Ottawa East and the member for Kitchener (Mr. Breithaupt) is one I fully concur in. That is the definition of an elector in Ontario. I happen to agree that citizenship should be the main criterion. We have made citizenship more accessible, and you do not have to wait very long. I really do not consider three years to be a very long waiting period in any case, and I think the whole idea of being a British subject or of having British citizenship of any sort is a question of the old imperial concept of the citizenry.

The Acting Speaker (Mr. Cousens): That particular subject is not germane to this bill.

Mr. Samis: No, but it has been brought up by at least two if not three previous speakers, and I think in the overall context of defining—

The Acting Speaker: It comes under the Election Act, so I would ask you to stick to Bill 150.

Mr. Samis: Okay. Dealing with the very first section of the bill, which defines "electors," I think it is important to say that we want Canadian citizens participating in this. That would be the simple requirement to achieve maximum participation.

Beyond that, my colleague the member for Oshawa (Mr. Breaugh) has outlined our party's position on the other components of the bill. I welcome the progress represented in section 7, but I do not think it is strong enough. And I emphasize again that I do not consider the use of French at the municipal level to be a privilege; in Ontario, I think it is a right.

Mr. Rotenberg: Mr. Speaker, as I indicated when I introduced this bill a week or so ago, I will be asking that the bill go to committee of the whole House because I wish to move a technical amendment, which I have already given to the officers and critics.

Having said that, first, I would like to deal with the point made by the member for Oshawa (Mr. Breaugh), who objects to the form of this bill.

As members can see, there are some 40-odd clauses in the bill, and I think it would be somewhat foolish to try to make 40 separate bills out of it. I know the member for Oshawa does not have that in mind, because many of them are technical and many of the clauses get around anachronistic provisions.

The system we have used for both this bill, the Municipal Act amendments we bring in, and the regional bills, has worked well. And remember, this all amends one act of the Legislature. I can understand to a point the problem the member for Oshawa might have if there were a clause in the bill to which they were violently objecting and on which they wished a separate vote.

We have tried with these composite bills to put things that might be very controversial into

separate bills. The point is that it is in our system that these bills do go to committee of the whole House. If members from any party wish to object to a clause, they have the right to refer the matter to committee to debate that section separately and to register in committee of the whole their objection to it by voting against the clause or by moving an amendment to delete the clause. The system has worked well. I do not think it has been abused by the government or by members of the opposition. While it certainly is not perfect, I think the alternative, to have a number of separate bills introduced, is unnecessary in the context of this House.

The member for Oshawa also raised a problem about section 5 of the bill, which repeals subsection 81(5) of the act, referring to payment to councillors. It makes it illegal for councillors to accept payment. I would point out that the reference in the compendium is not to the Municipal Conflict of Interest Act that is before the House; it is a reference to the 1972 Municipal Conflict of Interest Act. In effect this provision has been unnecessary for the past 10 years, and that is why we are now bringing it forward.

I do not specifically want to get into the definition of "electors," although "electors" is mentioned in the bill, and, therefore, with respect, technically it is in order. I am sorry the member for Ottawa East (Mr. Roy) is no longer here. He challenged me and said he would bet me there could be a court challenge to elections, because British subjects are on the election rolls. Certainly we cannot change it at this stage. He pointed out that, under the equal rights provision, there could be a court challenge to municipal election lists and, therefore, to municipal elections.

I would point out to the member for Ottawa East—if he was within range and I certainly hope someone in his party will point it out to him—that section of the Charter of Rights does not take effect until some time in 1984 or 1985. It is not in effect at the moment. Therefore, a court challenge based on the equal rights' provision would not stand up for this municipal election.

Mr. Nixon: I will pass that on to him.

Mr. Rotenberg: On that point, I should point out that the Attorney General (Mr. McMurtry) is now examining the statutory provisions of many of our acts and much of the legislation of this province. This is one of the things he is examining and certainly there will be a report from the Attorney General. If necessary, there will be a change before that provision of the Charter of Rights comes into force and before the next election. That is only speaking from the technical legal point of view, because it is really not part of the bill at this stage. I do not want to comment on the philosophy of who should be an elector within this province.

The bulk of the discussion on this bill in second reading has been on section 7, the English-French section. I would like to thank the members of the House for their support of the section, although in some cases the support has not been total.

Part of the continuing policy of this government is to bring in English and French, bilingualism, where it is required, and it is considered necessary and desirable. The government can be proud of its record, going back many years to Premier Robarts and his Confederation of Tomorrow Conference back in 1967, and the feeling, the actions and the policy of this government, to have dialogue with our sister province, Quebec, and with the francophones in this province and to bring into this province a recognition of the rights of francophones. The recognition in this bill of that right of francophones is not, as some would desire, to make bilingualism mandatory in this province, but, in this case, in municipal legislation to make all the provisions of the act somewhat permissive.

Mention was made by the member for Waterloo North (Mr. Epp) last time about the cost of simultaneous translation and other translations. I would like to refer members to the pamphlet put out by our ministry in April, entitled, Municipal Services in French/Services, municipaux offerts en français. It is bilingual on both sides of it. I think the simplest thing for me to do is to read part of this pamphlet, which I believe has gone out to all municipalities. I would ask my staff member who is present to send it to those members who have spoken today, for their information.

This pamphlet is put out by our Ministry of Municipal Affairs and Housing:

"The ministry offers a program of financial assistance to municipalities in Ontario for providing municipal services in French as well as in English.

"This program is intended to support and encourage the provision of municipal services in French in those areas of the province of Ontario where such services are deemed to be necessary.

"Recognizing that the responsibility for providing municipal services in French rests with

the municipality, and that the degree to which such services are provided is solely within the discretion of the council, assistance under the program is offered for a period of five consecutive years and is intended to offset part of the costs of providing new or improved French-language services during the initial years, when costs to the municipality are likely to be highest.

4:50 p.m.

"This pamphlet is designed to inform Ontario municipalities of the assistance available under the program and the kind of activities that are eligible for assistance.

"Municipalities are eligible to receive:

"(a) Reimbursement of 50 per cent of actual municipal costs, up to a maximum of $50,000 each year per municipality, for a period of five consecutive years. This assistance is intended to cover the following, or similar, types of activities:

"Language instruction in either English or French as a second language for members of the municipal councils and staff of the municipalities;

"Translation of documents by municipal staff and/or commercial translators from English into French and from French into English" —which would cover part of the objection that some members have indicated to subsection 7(7)—

"Printing costs associated with the production of municipal bilingual documents in French and English and municipal documents that have been translated from English into French or from French into English;

"Acquisition by lease or rental of simultaneous-interpretation services for council and/or special public meetings."

Now, to answer the specific point of the member from Waterloo North (Mr. Epp):

"(b) A one-time special grant of up to 70 per cent of the cost of purchasing simultaneous-interpretation equipment; and

"(c) A further one-time special grant to cover consulting fees incurred for developing a French-language-services program for a municipality, such payment not to exceed $125 per day, plus expenses, up to a maximum of 15 working days."

I would point out to this House that in the estimates of the ministry for this fiscal year the sum of $450,000 is provided to cover the first year's costs. If there are a lot of requests, certainly that can be increased.

I would indicate to you, Mr. Speaker, that this is available to municipalities as assistance by the government, and particularly by our ministry, to those who want to implement a bilingual program.

Much has been said about the possible requirement of a municipality to have to translate into English a document that is totally in French. This was put in, you will understand, Mr. Speaker, as something that is not mandatory by the government but is something that is permissive. The type of thing we have in mind is where a municipality may submit a document such as an official plan, or a complicated document which has to be circulated, and when a municipality requests or requires some reasonably quick approval; an official plan would require that.

To answer the member for Ottawa Centre (Mr. Cassidy), in the case of a simple letter there is no problem in any ministry to translate it, but if it is a major, complicated document and our translation services cannot handle it and approval is required, we have it in the legislation to say to the municipality, in effect, "If you want this approved, you have to look after the translation." But we have also said that we will assist in the cost of that translation up to 50 per cent.

The member for Ottawa Centre and the member for Cornwall (Mr. Samis) have also discussed the problem that arises if a council passes a bylaw that says, "English only in our council." They feel that it should be a right of each member of the council to speak French if they so desire.

I would point out that this legislation is quite even-handed. Under this legislation a municipal council could pass a bylaw saying, "We speak French only here," and they could prohibit a councillor from speaking English in a council if they so desire.

On the speaking part of it, while speaking in a council or before a council it is permissive to a council to have English only, French only or English and French as their official languages. I say it is permissive to a municipal council because we feel, in this ministry and this government, that these are matters to be decided by the local council which understands the local situation best. We feel it should be left up to the good sense of the local council to decide what official language they could have. I would be very surprised if, in any council, despite whatever their bylaws were, they would refuse a person who was not bilingual to address them.

Just a few moments ago, the member for Ottawa Centre addressed this House for a few minutes in Italian which, of course, is not permitted in this Legislature, although French is. Of course, no one called him to order because the good sense of this House would allow any member to speak briefly in any other

language. It has happened before and I do not think we would have any problem with it.

The member for Ottawa Centre raised the matter of the referendum. This, of course, is not part of the bill and I will not comment on it. He has mentioned, as I indicated earlier, some matters under the Education Act which are certainly not part of the bill, and again I will not comment on that.

I would indicate that as regards section 7 of this bill, which has taken the time of the Legislature, it may not be perfect in the eyes of some members, but in my opinion it certainly goes a long way to accommodate the needs, the desires and, yes, the rights of both anglophones and francophones in this province, and it is another step in the implementation of this government's policy to so do on a permissive and not a mandatory basis.

With those remarks, I believe I have covered the points that have been raised by the members of the opposition. I ask for second reading of this bill and for it to go to committee of the whole House.

The Acting Speaker: The motion is for second reading of Bill 150, An Act to amend the Municipal Act.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Ordered for committee of the whole House.

House in committee of the whole.

MUNICIPAL AMENDMENT ACT

Consideration of Bill 150, An Act to amend the Municipal Act.

The Deputy Chairman: There are some amendments. Should we proceed to section 10? Which section do you want to begin on?

Mr. Cassidy: Subsection 7(3), Mr. Chairman.

Sections 1 to 6, inclusive, agreed to.

Mr. Cassidy: Mr. Chairman, I am just drafting an amendment here. Since it would be desirable to have the amendment in writing, perhaps we could stand down subsection 7(3) and go on to the remainder. I will have an amendment on that particular point done by the time we get to that.

The Deputy Chairman: With the consent of the House, is that agreed?

Agreed to.

Mr. Cassidy: I also have comments on subsection 7(7); if we can get to that next, I can comment on that.

The Deputy Chairman: Which subsection is it you will have your amendment prepared on?

Mr. Cassidy: Subsection 7(3)

Mr. Rotenberg: Mr. Chairman, may I suggest that we stand down section 7 in its entirety, finish the bill and then come back to section 7.

The Deputy Chairman: I think that would be the best approach. Is that agreed?

Agreed to.

Sections 8 and 9, inclusive, agreed to.

On section 10:

The Deputy Chairman: Mr. Rotenberg moves the bill be amended by adding thereto the following section:

"10(1) Subsection 143a(1) of the said act, as enacted by section 6 of the Statutes of Ontario 1982, chapter 24, is amended by striking out 'which bylaw shall not require the assent of the electors' in the third and fourth lines.

"(2) Subsection 143a(13) of the said Act be amended by striking out 'the assent of the electors and' in the second line."

He further moves that sections 10 to 41 of the bill as printed be renumbered accordingly.

Mr. Rotenberg: Mr. Chairman, this bill was introduced on June 17, before Bill 12, which amended the Municipal Act, was finalized by the Legislature.

Because Bill 12 now has been enacted with a reference to the extendible debentures, these words in section 143 are no longer required since they are covered in the act which we passed since this bill was first introduced.

Section 10, as amended and renumbered, agreed to.

Sections 11 to 41, as renumbered, agreed to.

5 p.m.

On section 7:

Mr. Cassidy: Mr. Chairman, with the permission of the House, I wonder whether I could comment first on subsection 7(7) and then come back to subsection 7(3). I have a legislative page making a copy of my proposed amendment.

The Deputy Chairman: Is that agreed?

Agreed to.

Mr. Cassidy: Perhaps I can address my comments to the minister. I speak in reason rather than in passion right now. As I read subsection 7, it is quite clear that while this may have been directed to the need of a municipality to get a document or an official plan approved quickly

and have it circulated within a limited amount of time, it might be applied to almost any document that came from a municipality, including even something as simple as a letter to the minister.

Am I correct in that impression? If I am correct in that impression, are the parliamentary assistant and the minister prepared to change that? Is it their view that because it is the ministry's practice to accept letters and other documents in French or English, these municipalities are going to have to depend on the goodwill of the government in power?

Mr. Rotenberg: Mr. Chairman, I think the member for Ottawa Centre has interpreted it correctly. This government's record in accepting French documents is quite acceptable to all the communities in the province.

With respect, a letter could be a letter but it could also be 40 or 50 pages long without being deemed to be a letter. It is a matter which was left permissive by this government and I think the record of the government speaks for itself. We have never demanded an English translation. We have provided service to those who write to us in French. This is sort of a saving clause in case something does come up at some time which would require for some reason any municipality to send us an English translation because it was required.

I think I can assure the member and the House that this is something we would use very rarely, if ever.

Mr. Cassidy: If it is true that this is a saving clause and will be used very rarely, if ever, and given the fact it is offensive to anyone who is concerned, as I am and my party are, about Franco-Ontarian rights, why on earth would they keep it in the bill?

Why could the government simply not say that for the one or two times in half a decade when there might be something coming up that was a bit complicated to translate, that it is not worth leaving this in the bill where it could serve as a provocation or suggest to people the government was less than wholly willing in terms of recognition of the rights of Franco-Ontarians in municipalities to communicate with the government?

If I could pursue that for a minute. The minister's example was the case of an official plan coming to Queen's Park that needed to be circulated when there was some urgency about the matter. Now, there is seldom any urgency in dealing with official plans, but it seems to me that the municipality would recognize if they were in a hurry that it would take a bit longer to deal with their complicated document if it happened to be solely in French. The municipality might be relatively small and might not have the resources to do the translation. Who knows?

It seems to me to be bad law. I would ask the parliamentary assistant, given that he acknowledges that it is not the government's intention to use it, why do they not simply take it out. If, after five or six years, they find they are being deluged with huge, fat documents in French or in Croatian or whatever, and they have some problems, then let us discuss it then. Why not start with legislation as generous as he says the policy of the government actually is?

Mr. Rotenberg: Mr. Chairman, I did not say the government would never use it. I said it would be unlikely that the government would use it. The legislation is here. I have not introduced an amendment and I do not intend to introduce an amendment.

Mr. Cassidy: We are going to oppose this particular section. Just to conclude, and let us be very explicit: The minister has acknowledged that even a one-page letter in French from a municipality could be sent back by the government to that municipality. They could be told to kindly turn it into English before it will be considered. That is what we are voting on and the minister says the government still wants to keep that as a saving power. We say no, we will oppose the subsection.

Let us divide it, Mr. Chairman, so we can vote on that point before we get to the amended section.

The Deputy Chairman: Does the member want to vote on subsection 7(7) first and then proceed to the others?

Mr. Cassidy: Yes, please.

The Deputy Chairman: All those in favour of subsection 7(7) will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Subsection 7(7) agreed to.

The Deputy Chairman: Mr. Cassidy, have you circulated copies of your amendment?

Mr. Cassidy: I am just going to circulate them now, Mr. Chairman.

The Deputy Chairman: Mr. Cassidy moves, seconded by Mr. Breaugh, that subsection 7(3) be amended by adding the words, "that the use of French and/or of English at meetings of council or council committees shall be in order at all times."

Mr. Cassidy: Mr. Chairman, I meant to say "French or English." My writing is a bit unclear.

The Deputy Chairman: Did you mean to say "the use of French or English"?

Mr. Cassidy: Yes, Mr. Chairman. The drafting may be a bit inelegant but the purpose is clear. It is simply to ensure the law indicates a council could not by bylaw prevent a member of council or someone making representations to council from using either of Canada's official languages. I think the points have been made in the course of the debate.

Je souhaite que le ministre, le secrétaire parlementaire soient prêts à accepter cet amendement qui assurera le droit de comx muniquer en français ou en anglais avec les membres d'un conseil municipal. Malheureusement, la législation telle qu'elle est proposée ne donne pas ce droit, parce qu'elle permet en fait à un conseil de passer un règlement qui défendra l'utilisaton du français.

The minister says it could prevent the use of English. While that is true, it is extremely unlikely. I suggest this would be a much more acceptable means because I think it would be just as bad for a council to say no one could communicate in English as it would be if it said, "No one can communicate with us or communicate as a member in this council in French."

I hope the minister's assistant is prepared to accept this amendment.

Mr. Rotenberg: As everyone knows, rule 19(a) of our standing orders reads, "Every member desiring to speak must rise in his place and address himself to the Speaker, in either English or French."

As that is the government policy for this Legislature, we feel that either English or French can and should be used at the discretion of any member of this Legislature. That is a rule that we have adopted for our Legislature.

We feel this is something that is available to every municipal council. We also feel there should be a local option. This is permissive legislation and every council can adopt that kind of a bylaw if it so desires, but we do not feel we should be forcing that on any council. It can have English, it can have French or it can have both, and that is a matter of local option. We leave that to the good sense of every municipal council. For those reasons, I do not support the amendment.

Mr. Cassidy: I would point out to the parliamentary assistant that the government has not taken that position in respect to what it calls local option in many other areas that affect the use of French and English. For example, while the law is equivocal with respect to having a French secondary school, it is certainly not equivocal with respect to the right to have one's children educated in French where there are more than 20 children, I think it is, or a certain number, whose parents express the desire that they be educated in French. The school board then has to provide them by right with schooling in French in a particular class.

That is part of the law of Ontario, and local option has not been permitted in that particular case, because it was felt that there are some purposes the province has to implement by means of legislation.

5:10 p.m.

Because of the fact that we set the framework for municipal governments in the Municipal Act, and because the municipalities are creatures of the province, it seems to me that if the government really accepts and believes that the rights of Franco-Ontarians and the right to equality for French and English are a priority and are important in this province—and that has been said many times by Premier Robarts and by representatives of the present government over the course of the last 10 years—then he should put his legislation where his mouth is by either accepting this amendment with respect to the right to use French in municipal councils or else by proposing some alternative amendment that will do the same thing.

If the parliamentary assistant wants to stand the bill down with only that one subsection left over in order that some better drafting or different drafting can be considered or in order that he can consult with his masters and see what the Minister of Municipal Affairs and Housing (Mr. Bennett) has to say about it, then we would certainly be happy to have it delayed in that way.

It seems to me that he should not panic because he was not given a mandate to act in this particular area. He should recognize that all of us in this province have a responsibility to try to ensure equality for the French and English languages. There are differences between our parties on this question, but I suggest that is not a matter of official bilingualism or anything like that; it is simply a matter of basic rights. Can someone speak French within a municipal council or not? Should it be purely permissive, or have we not reached the period in our history in this country and in this province where it should be a right?

We say it should be a right, Mr. Chairman, and I suggest that the minister should consider some alternative other than just simply blind resistance to anything because it happens to come from the New Democratic Party or because it happens to be desired by the French-speaking community of Ontario.

Mr. Epp: Mr. Chairman, I endorse the suggestion that this item be stood down, because I think the parliamentary assistant may find that he is at variance with some of his colleagues on that side of the House. Rather than have him dig an even bigger trench for himself to try to extricate himself from in the near future, I think he should go along with standing the matter down so he will have a chance to speak to the Premier (Mr. Davis) and his minister about this matter and come back and support the suggestion.

I do not think that taking a very isolated stance now, being very pig-headed about it and saying, "Look, I am not going to reconsider it, because I may change my mind by tomorrow" is a very democratic or particularly productive way to act in this Legislature. I think he would do his colleagues and, in fact, this Legislature a favour by standing this matter down and bringing it back at a later time so he will have the opportunity to consult with his colleagues on the matter, who I am sure support the suggestion and the amendment.

Mr. Rotenberg: Mr. Chairman, I would indicate to the honourable members opposite that this discussion was anticipated and has been discussed by the government, and the government does not accept the amendment.

Mr. Cassidy: Mr. Chairman, the parliamentary assistant is saying they anticipated it. In other words, this place is simply a farce and a joke. The people's representatives here on the three sides of the House, coming and presumably scrutinizing legislation and making suggestions, may as well just forget it; we may as well simply go home.

As far as the Franco-Ontarian community is concerned as well, I would say, "Well, that is it for democracy, because if your representatives make any attempt to speak on your behalf with respect to legislation and try to improve it, the government does not even bother to listen, because they have made up their minds in advance."

How closed can the parliamentary assistant be? How narrow-minded and how pig-headed is he being in this case by not even being prepared to listen to the debate? I think it is hypocritical for him to come in here and suggest that he is dealing with this parliament in any kind of democratic way. His mind was made up and as far as he is concerned, after the election was held in March 1981 we might as well all have drawn our salaries and come back in four years for the next election.

The Deputy Chairman: Thank you. Is there any debate on the amendment before the House by the member for Ottawa Centre? Shall I read it again?

Mr. Cassidy moved that section 7(3) be amended by adding the words "that the use of French or of English at meetings of council or council committees shall be in order at all times."

All those in favour of the amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 7 agreed to.

Bill 150, as amended, reported.

REGIONAL MUNICIPALITIES AMENDMENT ACT

Consideration of Bill 149, An Act to amend certain Acts respecting Regional Municipalities.

Mr. Rotenberg: Mr. Chairman, I have filed amendments with the table and with my critics on sections 12, 18, 27, and 30. They are all basically the same, so I am prepared to speak on section 12 when we get there.

Sections 1 to 11, inclusive, agreed to.

On section 12:

The Deputy Chairman: Mr. Rotenberg moves that section 62a(1) of the Regional Municipality of Niagara Act, as set out in section 12 of the bill, be amended by striking out, "may," in the first line and inserting in lieu thereof, "has and shall be deemed always to have had the authority to."

Mr. Rotenberg: Mr. Chairman, section 12 deals with the region of Niagara, section 18 with Ottawa-Carleton, section 27 with Waterloo, and section 30 with York. This amendment deals with the permissive legislation to allow regional councils to accept liquid waste from private operators. There is no problem with the section. This is something that has been requested by all of those municipalities.

The section gives permission, in this case to Niagara, to accept liquid waste from private operators. As I have indicated, some of the municipalities, anticipating this section, have

accepted liquid waste from private operators before having the specific permission. In effect, what we are doing by saying, "has and shall be deemed always to have had the authority to" is to make this retroactive such that they are considered to have always had authority to accept liquid waste, in case there is some problem somewhere along the way.

We have not had any problems and there have not been any challenges, but at the request of the municipalities we are doing it this way to anticipate any possible challenge.

Mr. Epp: Mr. Chairman, from time to time the parliamentary assistant gets up and says these municipalities have requested it, and I have no reason to doubt they really have, but to support his statement, I wonder if he would be prepared to table the correspondence with respect to these requests? This affects the regions of Niagara, Ottawa-Carleton, Waterloo and York, and so I can presume he has correspondence which supports this request.

As far as the municipalities having this permission or having been granted the right to deal with this subject of waste is concerned, I see no problem with that, particularly if they have been doing it for the last number of months or even a few years, and providing, of course, that they meet all the environmental standards they have to meet.

Mr. Breaugh: Mr. Chairman, I do not have any problem with the proposed amendment but I want to reiterate the request that was just made. When there are amendments proposed and the government is using the argument essentially that these are requests from municipalities, I would certainly appreciate seeing some indication of that in the compendium that is provided with these bills.

The easiest way would be simply to include the letter transmitting that request from the municipality to the government. If that were included in the compendium, it would resolve some of the difficulties we have on this side of the House in researching these bills. It is easy enough to say this is a request from the municipality, but I do not think it should be too strenuous to ask that it be included in the compendium so we could get something of the flavour of the nature of the request.

I do not think that would be an undue burden on the part of the government. I would ask the parliamentary assistant to take into consideration in future bills of this nature that we may have the opportunity to see the letters which requested the change in the act.

It strikes me that on a number of the proposals that are in this particular bill it would also be quite useful to have a little more background information than the one paragraph or so that is contained in the compendium we received on it.

5:20 p.m.

Mr. Rotenberg: Mr. Chairman, both opposition critics have asked that correspondence be tabled. I will indicate that I do not have the correspondence with me. If there is such correspondence I will be more than pleased to supply it.

However, I would point out that when these regional bills are drafted, meetings are held between our legal staff and the solicitors of the various regions. The request for this particular amendment from four regions may have been in writing or it may have been a verbal request. If it was in writing, I will be more than happy to supply it. If it was verbal, I will indicate that at some future date to the members who raised the point.

The point made by the member for Oshawa (Mr. Breaugh) is well taken. If he feels the compendiums are not sufficient, I think it would be in order for us to supply the opposition critics, together with the compendium, the relative correspondence from regions in these particular cases.

I would also point out to the member for Oshawa and to other members opposite, as I have pointed out to them on many occasions privately, the compendium is a summary of what the ministry is recommending. I have offered to the critics, over the years, that the staff of the ministry is available to them without my being there. If there are any questions or there is any further background material they would require, they know that the ministry staff is available to them. I know from time to time the members of the opposition parties have taken advantage of that offer and have consulted with the members of our staff.

Having said that, I repeat that the point of the member for Oshawa is well taken. We will endeavour in the future to provide further information where we deem it desirable. The problem, of course, is one never knows if one is giving too much information. All members of this Legislature have an awful lot to read. We try to give it in summary form. We will try to give a little more but we do not want to give too much, because then members will complain that we do not summarize properly and that we give them

too much to read. We will try to strike a proper balance in the future.

Section 12, as amended, agreed to.

Sections 13 to 17, inclusive, agreed to.

On section 18:

Mr. Chairman: Mr. Rotenberg moves that subsection 47a(1) of the Regional Municipality of Ottawa-Carleton Act, as set out in section 18 of the bill, be amended by striking out "may" in the first line and inserting in lieu thereof "has and shall be deemed always to have had the authority to."

Mr. Rotenberg: Mr. Chairman, this is exactly the same amendment as we had a few moments ago. It is the same principle.

Motion agreed to.

Section 18, as amended, agreed to.

Sections 19 and 20, inclusive, agreed to.

On section 21:

Mr. Cassidy: Mr. Chairman, I have a comment on this. I was not going to oppose the section but, as the parliamentary assistant knows, this is something which has dragged on for far too long with respect to the reform of the electoral system for the school board of the Ottawa Board of Education.

It happens to be in my community and I have spent too many hours of my life worrying about how to get a more representative and accountable school board in Ottawa. We have seen a grateful movement in the direction of reform. Even now, there will not be reform for another three years because of the foot-dragging which is taking place by the government.

I regret to say that a great deal of the responsibility lies in the hands of the Minister of Municipal Affairs and Housing (Mr. Bennett), who still seems to think that he is a controller of the city of Ottawa and that things in Ottawa should run according to what he thinks is a correct edict.

The present situation is this: Since 1972, the Ottawa Board of Education has been divided into two zones, each zone covering half of the city. The eastern half has bits of Rockcliffe and Vanier added in as well. Each of those zones elects six trustees; consequently there is an all-pervasive lack of accountability. The electors have extreme difficulty in understanding what is going on or in enforcing any accountability as far as their school board representatives are concerned. This is not for lack of trying to make changes. For almost 10 years now attempts have been made to get changes within the board of education. I have to say the incumbent trustees have not overwhelmed anyone with their desire to see those changes made.

Only at election times, it seems, has there been effective pressure, and then even after elections, because it is difficult to change the board with the existing system, we get the same old gang as before—and they find it very cushy, thank you very much. Something somehow impedes them from really pressing to get a system that would be effective and close to the people.

It is ironic that this bill is going to pass third reading at about the time of the 1982 election day, next Monday, November 8. There are currently 17 candidates for six positions on the school board in the west ward and something like 18 or 19 candidates for six positions in the east ward. Faced with that and with a constituency of about 160,000 people, it is going to be difficult for candidates to reach the electors, particularly considering the fact that school board salaries are not high and there is not a lot of money available for campaigning.

On the other hand, it is almost impossible for the electors to get some idea of what the devil these people are all about. They wind up voting for the first six on the list and the alphabet triumphs; or they vote for the people they know, who tend to be the incumbents; or, in many cases, they do not vote at all. I am afraid that is what happens too often. They do not vote at all because they are simply fed up and cynical.

Attendance at the all-candidates meetings in Ottawa during this election campaign for the school board has been extremely limited. In fact, at times there appeared to be more people on the stage than in the audience. I think that is attributable to the fact that one cannot make any sensible, logical distinction or choice these days out of this number of people. Therefore, people simply turn off or they say, "I will look at the paper on the weekend before the election and I will pick them by the way their pictures look or on the basis of the 30- or 40-word summary of what they stand for."

My particular concern, and this is a matter of history, is that the request for legislation has come before the province—in the first place, it should not have had to come here at all. In other cases, under the Education Act, redistricting is possible and there is no need to get special legislation. Unfortunately, the board of education is in the regional municipality of Ottawa-Carleton and it happens to be under that particular act. It was in April 1980, if not before,

that the board requested legislation that would allow it to redistrict and to set up a four or six-ward system with two or three trustees per ward; in other words, a system that would bring the trustees significantly closer to the electorate.

When I, as the member for Ottawa Centre, started to trace that to try to find out what the devil was happening, I learned that letters both to the Minister of Municipal Affairs and Housing and to the Minister of Education (Miss Stephenson), the responsible ministers, had effectively been lost. The matter was languishing at the bottom of some civil servant's in-tray. Nothing had been done, and one suspects that instructions had been given that nothing was to be done until it was too late.

5:30 p.m.

Finally, in April or May 1980, just prior to when legislation was needed because of the anticipated or impending 1980 municipal elections, the government had a look and said, "In our wisdom, we do not think this request is an acceptable one." They sent it back. That meant the school board had to go back to this all over again. I suspect the minister may have been hoping one or two more of his friends would be elected to the school board and, therefore, there would be a majority for continued inaction.

That did not happen. The school board has been deeply divided on this question and the voting has been fairly close. I recognize that, but I would suggest to the parliamentary assistant one of the reasons for those deep divisions was the demonstrated fact a lot of incumbents liked the system because it helped them to keep on being re-elected.

It is not that long ago that the electoral list for the Ottawa school board used to have a little asterisk against the name of anyone who was an incumbent so that when one went to vote, if one did not know who to vote for, one could vote according to the asterisks and return the same old team as before. I was often tempted to vote against them precisely because they had asterisks against their names. Regardless of that, that certainly was an undue influence on electors. Those were the days when we had 50 candidates running for 12 positions.

It may be that the Minister of Education does not like the Ottawa Board of Education. She keeps on accusing it of overspending. As in her relations with the Toronto Board of Education, she does not understand the special educational needs that exist in a large urban area such as Ottawa.

Be all that as it may, what has happened since then is that, beginning in 1981, the board of education responsibly took up the cudgels again and took on this challenge. It did not give up because of the rather asinine behaviour of the government. It decided it would go through the hoops the way it had been asked to.

It held consultations, held meetings and met with the Ottawa Board of Trade which supports greater accountability for the board of education and supports having a ward system. It met with a number of different people from different walks of life. Is that really so unusual? No, it is not because it had done exactly the same thing before the previous request which was turned down.

Once again, when the public meetings were held, the various interest groups and people in general indicated they wanted to have redistricting so the school trustees would be closer to the people. This matter came up again in the spring of this year and I raised the matter again.

Lo and behold, what had happened? The letters had been lost once more. The minister had some policy analyst in some divison of the ministry who was doing her best to make sure no stone would be left unturned and no consideration unconsidered to prolong the agony and the consideration of this matter.

Whether or not that was under instructions, I do not know. I do know a responsive and sensitive government would at least have said: "You folks in Ottawa have had this turned back once. You have gone and done what we asked you to do. Now the least we can do for you is to put in a special bill and have it adopted before summer so that school board elections can be held on the basis of new districts on November 8, 1982."

The parliamentary assistant doubtless knows it was back in December or January of this year that the Ottawa Board of Education made its provisional decisions about what the districts should be. There was nothing objectionable about them. They followed the ward boundaries. I guess it would have provided for six wards of relatively equal population and would have followed the ward boundaries as well, as is required in this legislation. In other words, it was not a big deal, except that the ministry and the government decided to make it a big deal.

This Legislature is capable of moving extremely quickly once it has been alerted about a matter. Since there was co-operation from this side, and I presume from the Liberal side, it certainly would have been possible in May for the minister to have given orders to his parliamentary

assistant or to the officials who were preparing the matter, saying: "I want that through. We want to act. It is reasonable that Ottawa as the second largest city in the province should have this. They have been waiting for an awful long time. Perhaps we have even been a bit negative but, since we sent it back once, let us get it through this time so they can have their election on the new basis."

Did that happen? No. I am glad you shook your head, Mr. Chairman. It indicates you are listening attentively. The minister said, "We are going to have to have it reviewed by the Ontario Municipal Board." That was some time in June. I contacted the OMB and asked them: "What is the situation? If the legislation is adopted even by the end of July, when it looks as if we are going rise, will it be possible for the OMB to consider this matter in time for the new legislation to be in place for the November 8 election?" I got assurances that this would probably be the case and that they would certainly pull out the stops to try to make that happen.

The minister has his hand over his forehead out of exhaustion, I guess. I am exhausted by all this, Mr. Chairman. It is something that affects people in my own area, and it affects people in the riding of the member for Ottawa West (Mr. Baetz) and in the riding of the member for Ottawa South (Mr. Bennett); it affects people in a portion of the riding of the member for Carleton East (Mr. MacQuarrie), and it affects people in the riding of the member for Ottawa East (Mr. Roy).

It affects people right through the city of Ottawa; and I am tired of the fact that when Ottawa wants something, somehow Queen's Park is about 10,000 miles away rather than 265 miles away or a brief phone call or a one-hour plane flight away. That is all the time it takes the member for Ottawa East or the member for Ottawa West or me to go to Ottawa when we are going back to meet with people there or to do things in our ridings; but somehow, as far as the government is concerned, it takes eons rather than hours to get any action.

So there was not the kind of leadership that was required from the government. The consequence is that now we have a section that is acceptable—I am not excited by it, but it is acceptable—which will finally give the right to redistrict to the board of education when it deems that to be reasonable, provided there is OMB approval, but it will only give it to them for the 1985 elections.

Since the effort to get a better zone representation, or ward representation, began back about 1975, I just think that in this fast-moving world 10 years is much too long a time for a simple, basic, straightforward reform like this to be approved, particularly when it is because of the inaction or the delays of the province.

With respect to the particular parts of it, I am not convinced that the municipal board had to be involved. That was the judgement of the province, and we are not opposing that particular section. At the very least this is workable. I hope the municipal board does not play silly games. I hope they will recognize, as the government seems to be unable to, that if the board of education makes a decision, the decision should be endorsed.

To give them their credit, I think the board of education in proposing ward boundaries or new districts was not being unreasonable. They were not trying to gerrymander or to get particular electoral advantage for anybody. There was some effort, albeit slow, to reflect the desires of the electors overwhelmingly in the city of Ottawa. I hope that if the municipal board is presented with that proposal after the current election, it will in fact view it in that order.

I would welcome subsection 21(3d) of the bill, which indicates that if the school board does not act, then it will be open to 150 electors to petition the municipal board to take action. This recognizes the difficulties that have existed and it recognizes that perhaps the incumbent trustees have shown that they love their offices a bit more than they love trying to make themselves accountable and truly representative.

With those comments, Mr. Chairman, we will support the amendment with some regrets over the delays it has taken. Frankly, I think that schooling and the accountability and the responsiveness to education in Ottawa have suffered as a consequence of the delays, many of which have emanated from the ministry and from the government.

Mr. Roy: Mr. Chairman, I thought I should make a few comments on section 21; but before that I would say to the parliamentary assistant that I am extremely disappointed he did not see fit to accept some of the suggestions my colleagues and I and the member for Ottawa Centre made on how he could improve Bill 150. It is unfortunate that he did not accept what I consider to be very reasonable amendments to this legislation.

I do not want to be overly partisan; it is not my style, but unfortunately, section 21 of Bill 149 is typical of what one could consider to be Con-

servative legislation. In other words, it is too late and it does not deal with the real problem of education in Ottawa-Carleton. That should be emphasized.

5:40 p.m.

Mr. Chairman, as an objective observer of the political situation, and of the whole situation in Ottawa-Carleton especially, you understand that it is very unfortunate, as the member for Ottawa Centre mentioned, that such important amendments to allow more accountability and more logic in the processes of electing trustees for the Ottawa Board of Education are not in place. We have been talking about this long enough. They should have been in place for the November 1982 elections. It is very unfortunate that this did not happen.

As my colleague has said, when it comes to voting, it borders on the ridiculous when you are electing trustees, at least in Ottawa-Carleton. I do not know what it is like in other areas, but frankly, if we are serious about having proper representation on such an important function as the school board, it seems somewhat ludicrous that we would have a situation where there are 30 or more candidates vying for 12 or so positions on the Ottawa Board of Education. There are two voting areas, east and west. If your name happens to be fairly high up in the alphabetical order, your chances of being elected are much better than somebody whose name happens to start with an R, as in my case. I would have difficulty being elected for the first time on the Ottawa Board of Education.

Mr. Chairman, if you had the good fortune to be a candidate in Ottawa-Carleton, you would have an excellent chance because your name starts with the letter it does. I just want to give you the idea that people should not be elected on the basis of letters. You can understand, for instance, that Roy is a name much more pleasant to the ear than Cureatz, and yet you would be elected before I would just because you would be higher up on the list. So you understand my frustration and my disappointment that we are dealing with this legislation now and that it will not be in force for November 1982 and will have to wait until 1985.

Mr. Chairman: The parliamentary assistant's name begins with R too.

Mr. Roy: He would never be elected on the board in Ottawa with a name like his, starting with an R; he would be just ahead of me, but his name is much too long and people would not go for it. They would prefer Roy.

More important, not only is it typical Tory legislation, in that it is too late to deal with the real problem existing now, but also it deals superficially with the real problems of education in Ottawa-Carleton. Put very simply, the problems of Ottawa-Carleton will be solved when this government acts, or the Minister of Municipal Affairs and Housing (Mr. Bennett) acts. I do not have to be kind to him on this particular legislation, because I think he is one of the people who has systematically opposed meaningful change for the system of education in Ottawa-Carleton. This Minister of Municipal Affairs and Housing, the member for Ottawa South, has systematically opposed changes.

The changes required do not require a genius to formulate. They were suggested as early or as late as in the Mayo report back in 1976, and prior to that time. The change that is required in Ottawa-Carleton is simply that there should exist in that area one public board for Ottawa-Carleton. We should not have a system where we have one public board for Ottawa and another public board for Carleton. There should exist one separate board for Ottawa-Carleton, and there should be one French-language board to deal with all the schools at all levels in Ottawa-Carleton. That would be the meaningful change that would be required, not playing around with trustees and so on.

Alors, Monsieur le Président, je voudrais tout simplement dire que malheureusement, l'article 21 ne règle pas le problème fondamental de la région d'Ottawa-Carleton. La meilleure solution qui devrait être présentée ici serait en fait d'établir un conseil scolaire public pour tout le secteur d'Ottawa-Carleton; il devrait y avoir également un conseil séparé pour ce même secteur, ainsi qu'un conseil homogène de langue française, tel que celui-ci a déjà été proposé et dont on parle depuis plus de dix ans. Malheureusement, Monsieur le Président, les solutions du gouvernement sont systématiquement plus ou moins adéquates. Le ministre de l'Education nous avait proposé en son temps un livre vert - je crois que c'est comme cela qu'on l'appelait à l'époque. Un livre vert, Monsieur le Président, c'est un "Green Book". That was going to be the solution to all problems at that time.

Ce livre vert devait être une nouvelle solution à la représentation des francophones au sein du conseil de l'éducation d'Ottawa. Mais ce ne fut pas la solution. Un comité, formé en avril par le gouvernement, avait proposé de bonne foi une série de solutions. Ce comité avait l'impression -

comme nous tous, Monsieur le Président, car c'était une impression qui nous avait été donnée par le Premier ministre et le ministre de l'Education - qu'on allait voir encore des changements fondamentaux en vigueur pour les élections de novembre 1982. Malheureusement, ce fut une autre déception et nous nous trouvons de nouveau dans une situation qui ne garantit pas la représentation efficace et adéquate des francophones. Le gouvernement a fait tous les efforts possibles pour éviter de créer un conseil homogène de langue française. Et je crois bien que le coupable dans tout cela est bien le ministre des Affaires municipales et du Logement de l'Ontario, le député d'Ottawa-Sud (M. Bennett).

C'est bien sûr la solution la plus logique. Ce n'est pas une question partisane, Monsieur le Président, mais une question proposée dans le rapport Mayo. Elle a été acceptée par tous les conseils scolaires, par tous les gouvernements municipaux, tous les journaux, tous les chefs, toutes les personnalités de la région d'Ottawa-Carleton. Mais la seule personne qui refuse d'accepter ces revendications logiques, des revendications qui rendraient finalement justice aux francophones c'est toujours le gouvernement; et d'après moi, c'est le député d'Ottawa-Sud (M. Bennett) qui refuse d'accepter ces revendications. Nous ne voyons, Monsieur le Président, que de petits changements plus ou moins superficiels. Cela va aider un peu et permettre une meilleure représentation, sans doute, mais le problème fondamental qui existe dans la région n'est pas réglé.

Mr. Chairman, if I could summarize: It is very unfortunate that we have not seized this opportunity to deal with the fundamental problems that exist for education in Ottawa-Carleton. While we are getting changes that certainly will be helpful—they will mean more accountability on the part of those trustees if the board decides to have trustees represent wards rather than a situation in which they are elected at large as they are now—the fact remains that we are not dealing with the fundamental problem that exists in that area.

As a result, we are left with the illogical situation of decreasing enrolment in Ottawa and increasing enrolment in Carleton. Schools are being shut down here and there and the boards cannot get together to deal with that problem. Meanwhile, francophones are in both the Ottawa and Carleton boards, at four different levels spread out all over the region. The representation and the accountability on behalf of that important linguistic group are not effective and do not deal with the real problem.

5:50 p.m.

It is with a certain amount of sadness that I must say that some of us have repeated this course for 10 years now in this place. Frankly, I cannot understand where the opposition originates, apart from some of the local members, led by the member for Ottawa South. I wish he were here to defend his legislation. It is not that I do not have great admiration for the parliamentary assistant, but I would heap scorn and abuse on the minister with far more aggressiveness than I would on the poor parliamentary assistant, who sits there with a smile that says: "What's going on? What's happening? I just came down here to put forward this bill. I don't want to suffer this abuse."

Mr. Cassidy: The member for Wilson Heights (Mr. Rotenberg) is an intruder. This is an Ottawa affair.

Mr. Roy: It seems to me the minister should be here to tell us why the government has systematically refused to deal with the fundamental problems existing at the level of education in Ottawa-Carleton. Surely the people of that area deserve an explanation from the minister as to why he refuses to accept a proposal that has received such widespread approval in Ottawa-Carleton. Unfortunately, the consequences are such that we shall be dealing again in a superficial way with the fundamental problems, and the situation will continue to exist.

Not too long ago we read something in a press report in which the Minister of Education (Miss Stephenson) said something like, "Well, I am prepared to look at whether fusion or amalgamation of both boards is something that is acceptable." What is going to happen is that we are going to discuss it ad infinitum—

The Deputy Chairman: Dans un autre livre vert.

Mr. Roy: Yes, dans un autre livre vert. Vous avez raison, Monsieur. Your French is impeccable, Mr. Chairman; you should be told that.

Unfortunately, we are going to be left with a situation so that even by 1985 the problem will not have been dealt with and the fundamental problems in that area will continue.

Not only is it not just and not fair but also, in my opinion, it is a great waste of taxpayers' money. The more scorn and abuse that is heaped on this government, the more the taxpayers of Ottawa-Carleton will realize, at some

point, how ill served they have been by the approach of the government on this issue.

Mr. Rotenberg: Mr. Chairman, one of the reasons for the delay was that the request by the Ottawa-Carleton school board was not in the form in which we see it today. The request by that school board, even early this year, was that they be allowed to do their own redistribution and set their own boundaries without reference to anyone else, and certainly without reference to the Ontario Municipal Board.

The member for Ottawa Centre (Mr. Cassidy) has indicated that in his opinion that reference is not necessary. I point out to him and to the other members of this Legislature that all municipal entities, be they school boards or councils, which have the right to draw their own boundaries, also have the obligation to submit those boundaries to the Ontario Municipal Board if there is any objection within their municipality.

This is a principle which this government feels is important. I am really surprised that the former leader of the third party, which is always trying to protect the rights of minorities and which is always trying to indicate it wants to protect everyone's rights by making sure there are proper public hearings, would indicate in this case that his party feels the Ottawa-Carleton regional school board could set its boundaries and have an exemption to the principle which this government and this Legislature has adopted for everyone else.

Their original request also did not have what is now subsection 3d, which the member for Ottawa Centre supports; that provides that a petition of electors can request a hearing by the municipal board if the school board does not so do.

We feel the legislation in this form is what should be going forward. I am pleased to hear that, with reservations, the members opposite support this, because we feel any redistribution must have the possibility of a public hearing, and it must have the possibility, where the council or school board does not do it, for electors, if they feel they are hard done by, to be able to make a petition.

The member for Ottawa East (Mr. Roy) has raised other matters which are interesting but which, with respect, are not within the province of the Ministry of Municipal Affairs and Housing; they are under the school board. I would suggest, if he wishes to pursue those matters, he should pursue them with the Minister of Education.

Mr. Cassidy: Mr. Chairman, part of the frustration the people of Ottawa have felt over this matter is that it was in April 1980, if not before, that the Ottawa Board of Education first made the specific and official request to the ministry with respect to the redistricting.

The Ministry of Education at least has an office in Ottawa. The Minister of Municipal Affairs and Housing represents an Ottawa constituency. In other words, if the government wanted to insist that the OMB be involved in this matter, there were ample means by which it could have indicated that to the board of education. The government could have said two and a half years ago, "We are going to go ahead with this, or we think we will; so would you please have some means by which the municipal board can oversee what you are planning to do?"

There would be nothing extraordinary about that. I suspect the board of education at that point would have said, "If that is the way you want to have it, that is the way it should be." I do not want to bore anybody with all the legislation, but school boards such as the Windsor Board of Education and the Hamilton Board of Education for some time have had the right to go from an at-large system to a ward system without having to go before the Ontario Municipal Board or any other outside authority. Granted, they go to wards that are established for municipal purposes, but that is what the Ottawa Board of Education proposed to do as well. It thought it was acting in a reasonable way by making the initial request.

If it was so important to have the OMB involved, why the devil did the government or the ministry not go back to the Ottawa Board of Education two years ago and tell it at that time: "Would you please include that in your request? That will expedite matters." Oh no, they did not work that way. It was not until we dug it out of the bottom filing cabinet of the nethermost office in the Ministry of Municipal Affairs and Housing some time in April that we finally discovered the minister or his assistants were concerned about whether the municipal board should be involved.

I am suggesting there is something negligent as far as the ministry is concerned in that it took so long to find this issue of principle which now has been used to delay the matter until 1985. Having discovered the matter in April or May, there was no reason it still could not have come before the Legislature in time. The application could have been made before the municipal

board in the summer and it could have been put into force now.

Perhaps the parliamentary assistant could say, "How come this matter did not get expedited once you discovered it? Even in May or June it would still have been possible to have put the changes into place in time for the 1982 elections if the board acted with expedition." But why did the government not give them the chance?

Mr. Chairman: Shall section 21 carry?

Mr. Cassidy: Mr. Chairman, could the parliamentary assistant answer that question?

Mr. Chairman: Maybe he does not want to.

Mr. Cassidy: For the record right now, I would like to know why, when there was time to get this through for the 1982 elections, it was not done.

Mr. Chairman: I have a great idea. If he agrees to answer the question, that will bring us to part VII. Why don't we call it quits for two hours?

Mr. Cassidy: Is the parliamentary assistant going to respond? If not, we will record that he will not respond and pass the section.

Mr. Roy: Mr. Chairman, just before that, could I ask him a question?

Mr. Chairman: Sure. Why not?

Mr. Roy: Since the parliamentary assistant attempted, based on legalistics, to avoid my suggestions and interjections, will he tell us why his boss, the member for Ottawa South, has systematically opposed meaningful change as far as changes in restructuring the boards of education in Ottawa-Carleton are concerned? Why has he systematically opposed the establishment of a French-language school board? Let the parliamentary assistant put that on the record before the dinner hour.

Mr. Rotenberg: Mr. Chairman, the matters which the member for Ottawa East raises are not matters that are in this bill but are matters of education. I suggest to him, if he has questions of the member for Ottawa South, he should ask them at the proper time.

I say to the member for Ottawa Centre, this matter was on the agenda to be looked at in the spring. Because of pressures of many other pieces of legislation, it did not make it for the spring session. It has made it for the fall session.

The House recessed at 6 p.m.

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No. 135

Legislature of Ontario Debates

Official Report (Hansard)

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Second Session, Thirty-Second Parliament
Tuesday, November 2, 1982
Evening Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Tuesday, November 2, 1982

The House resumed at 8 p.m.

House in committee of the whole.

REGIONAL MUNICIPALITIES AMENDMENT ACT (concluded)

Resuming consideration of Bill 149, An Act to amend certain Acts respecting Regional Municipalities.

Sections 21 to 26, inclusive, agreed to.

On section 27:

The Deputy Chairman: Mr. Rotenberg moves that subsection 59a(1) of the Regional Municipality of Waterloo Act, as set out in section 27 of this bill, be amended by striking out "may" in the first line and inserting in lieu thereof "has and shall be deemed always to have had the authority to."

Mr. Rotenberg: Mr. Chairman, this is the same principle as the two other amendments we have already carried.

Motion agreed to.

Section 27, as amended, agreed to.

Sections 28 and 29 agreed to.

On section 30:

The Deputy Chairman: Mr. Rotenberg moves that subsection 61a(1) of the Regional Municipality of York Act, as set out in section 30 of this bill, be amended by striking out "may" in the first line and inserting in lieu thereof "has and shall be deemed always to have had the authority to."

Mr. Rotenberg: Again, this is the same principle for the region of York act that applied to the other three acts.

Motion agreed to.

Section 30, as amended, agreed to.

Sections 31 to 34, inclusive, agreed to.

Bill 149, as amended, agreed to.

On motion by Hon. Mr. Gregory, the committee of the whole House reported two bills with certain amendments.

BRANTFORD-BRANT ANNEXATION AMENDMENT ACT

Mr. Rotenberg, on behalf of Hon. Mr. Bennett, moved second reading of Bill 145, An Act to amend the Brantford-Brant Annexation Act.

Mr. Rotenberg: Mr. Speaker, this bill will enable the city of Brantford to continue to be eligible to receive provincial subsidies for roads after the abolition of the Brantford Suburban Roads Commission.

This legislation deems the contributions made by the city of Brantford to the county of Brant road system to be contributing towards the construction and maintenance of suburban roads, thus meeting the requirements of the Public Transportation and Highway Improvement Act.

Once this legislation has been approved, it will be possible for the Brantford Suburban Roads Commission to be abolished by order in council without any adverse effect on the roads grant received by the city.

This amendment has been requested by the city of Brantford and the county of Brant.

The Acting Speaker (Mr. Cousens): The honourable member for Waterloo North.

Mr. Epp: Mr. Speaker, I like the way you articulate Waterloo North because it is very becoming of a great region, the great area I live in. I know those members who have had the great good fortune to visit Waterloo will know of what I speak.

Mr. Boudria: I am doing that this weekend.

Mr. Epp: This weekend?

The Acting Speaker: We have a number of Girl Guides in the House and they will all know this after the member has spoken.

Mr. Epp: That is right. Oktoberfest is over but there is next year, Mr. Speaker. I know a number of your colleagues have visited the great area of Kitchener-Waterloo, with real emphasis on Waterloo, and they cannot wait to go back to that area.

The Acting Speaker: Now we are speaking to Bill 145.

Mr. Epp: Back to the bill, the Brantford-Brant Annexation Amendment Act. I see the Minister of Consumer and Commercial Relations (Mr. Elgie) has come into the House. I am sure he has a few bills he wants to speak about. Anyway, back to my resolution.

We are going to support this bill because it is one that both of the municipalities have asked for and it makes good sense. Obviously, the grants to the county should continue since currently they are being divided between those two systems, the county and the city.

I know my colleague the member for Brant-Oxford-Norfolk (Mr. Nixon) will want to speak on this bill. He has a much better knowledge of the area, better than any other member of this Legislature because he lives in the area. He has been closely associated with the area for a number of years and wants to speak on this bill if he has the opportunity.

As I have indicated, we will be supporting the bill because it has been requested and it makes good sense. There is going to be some kind of consolidation there, and certainly we would not want to deprive either of the municipalities of the very sparse but very necessary grants that the province in its great wisdom—although these days its wisdom is lacking in many areas—wants to continue. I want to endorse the bill in its entirety.

8:10 p.m.

Mr. Breaugh: Mr. Speaker, I simply want to say we support this bill. This is precisely the way we like to see these bills brought before us, that is, one bill such as this to deal with a very specific local request that will enable these municipalities to receive grants for the construction and maintenance of roads. We see no problem with the bill. It is a nice, straightforward, clean piece of business. We will be happy to support it.

The Acting Speaker: Does any other honourable member wish to participate in this debate?

Mr. Rotenberg: Mr. Speaker, I simply want to thank the members opposite for their support of this bill.

Motion agreed to.

Ordered for third reading.

REGISTRY AMENDMENT ACT

Hon. Mr. Elgie moved second reading of Bill 131, An Act to amend the Registry Act.

Hon. Mr. Elgie: Mr. Speaker, I am pleased to introduce for second reading today the Registry Amendment Act, along with the Land Titles Amendment Act, Bill 132. If I may, I will make remarks with respect to both bills at this time.

The Acting Speaker (Mr. Cousens): I do not want to cramp your style, but will you deal with one bill at a time? Please deal with Bill 131 first of all.

Hon. Mr. Elgie: Mr. Speaker, these bills provide for the registration of prescribed bilingual instruments and documents in areas of the province to be designated by regulation. As an initial step, the deed and discharge of mortgage in the registry system and the transfer and cessation of charge in the land titles system will be bilingual instruments capable of registration.

In completing these bilingual instruments, recourse will be made to a lexicon of French-English terms that will be prescribed by regulation. Any substantive additions to the instrument not made from the lexicon, such as restrictive covenants, will have to comply, initially at least, with current requirements, and therefore be in the English language, or if in French, accompanied by a certified translation. It is anticipated that this will be the first of a series of steps towards accepting French-language documentation.

Monsieur le Président, j'ai le plaisir de présenter aujourd'hui en deuxième lecture la Loi modifiant la loi sur l'enregistrement des droits immobiliers et la Loi modifiant la loi sur l'enregistrement des actes.

Ces deux projets prescrivent l'enregistrement bilingue des actes et des documents dans les régions de la province qui seront désignés par règlement. Pour commencer, les actes enregistrés sous forme bilingue se limiteront aux actes scellés et aux purges d'hypothèques dans le système d'enregistrement des actes et aux transferts et aux cessations de charges dans le système d'enregistrement des droits immobiliers. On pourra consulter un lexique des termes français-anglais prescrits par les règlements pour remplir ces documents bilingues.

Toute annexe aux documents dont les termes ne figurent pas dans le lexique, comme les accords restrictifs, devra être conforme, au début tout au moins, aux exigences actuelles et par conséquent être rédigée en anglais ou, si elle est rédigée en français, elle devra être accompagnée d'une traduction certifiée conforme.

Il s'agit là d'une première mesure en direction de l'établissement d'une documentation en français. Merci.

Mr. Breithaupt: Monsieur le Président, it is a great pleasure to rise in support of Bill 131. One of the things we should do with this evening's Hansard is to make sure it is sent to ridings such as Lanark, Peterborough or even Victoria-Haliburton, so that a number of the traditional

supporters of the government will realize that reasonable progress is being made in the use of the French language in Ontario.

There are those of us on this side of the House who may feel the government ministers are not always anxious to inform all their ordinary supporters as to the strides being made in these particular areas. However, if publicity is not to be given by the government, which is ordinarily quite prepared to publicize all its doings, then perhaps that publicity will come through a careful reading of tonight's Hansard, if only by the representatives of the press gallery.

Certainly, we agree that An Act to amend the Registry Act, and its companion, Bill 132, to deal with the same matters under the Land Titles Act, should be updated to allow proper translation of documents and to make available the opportunity for the registration of documents in the French language throughout our registry system.

It is interesting to see from section 1 of this bill, which refers to section 38 of the Registry Act—and perhaps the minister will give us further information in this regard—that the documents which may be translated can be in any language other than English. At this point, we require a certified translation in the English language and, presumably, while many of the documents would ordinarily be expected to be in French, as long as there is a certified English translation, there is an opportunity for any of these other documents—one thinks particularly of deposits on title—as matters which could be written in any other language, not necessarily French.

However, where the French language is to be used, we note that a lexicon of terms will be developed. This will no doubt improve the services in the French language for those who wish to use that language in dealing with the traditional registry office system.

We welcome this further step along the path. While some of the minister's colleagues may think it a somewhat slippery slope, we agree this is the kind of change in the infrastructure of the mechanics of the operation of his ministry that is, indeed, to be encouraged.

We will support the amendment to Bill 131 to amend the Registry Act and I believe the matter will be able to go directly to third reading.

Mr. Swart: Mr. Speaker, I rise to support this bill on behalf of our party as well. I agree that no amendments are required and that it can go directly to third reading.

I would, however, like a further explanation from the minister on the wording of the bill. I notice there has been a change made in the wording at the beginning of section 38. It now says, "Where an instrument, document or related attachment is written," whereas in the existing act it states, "Where an instrument or an affidavit of execution is written." I presume the former is a more modern wording but I would like the minister to comment on that when he rises.

We support this bill. Obviously, when there is even a slight move towards provision of services in French, we in this party are going to support that. As the member for Kitchener (Mr. Breithaupt) has said, the government may not want to publicize this across Ontario to any great extent.

As a matter of fact, this kind of bill for the additional service provided in French does not have the highest priority for the French-speaking group in the Welland area. They would like to see more documents with regard to hunting licences and many other services in French before giving priority to this, because this is very internal, although it is an improvement. I suspect that is deliberate on the part of the government so that it does not receive a great amount of publicity in the sections where it might hurt it politically.

8:20 p.m.

One reason we support it is that the bill in itself is quite vague or perhaps I should say not quite all-inclusive and provides the opportunity for further progress in documents in French in the registry office. I accept the word of the minister that he is going to proceed immediately to the two main areas and subsequently, I presume, will move on to other areas as well.

As the member for Kitchener has pointed out, the wording leaves me a little confused, because in section 38 there is no reference to the two official languages in this province. It states:

"Where an instrument, document or related attachment is written wholly or in part in a language other than English there shall be produced with the instrument, document or related attachment a translation into English, together with an affidavit by the translator stating he understands both languages and has carefully compared the translation with the original and that the translation is in all respects a true and correct translation."

Subsection 38a(1), which is the important part of this bill, states:

"Notwithstanding section 38, where an instrument, document or related attachment is in a

prescribed form, the instrument may be registered or the document deposited if,

"(a) the instrument or document affects the title to land in a registry division or part thereof that is designated by regulation; and

"(b) the instrument is otherwise acceptable for registration or deposit."

The French language is not mentioned anywhere. Obviously, it is going to designate certain areas where French can be used. Further on in subsection 2, the bill prescribes, "the forms of instruments and related attachments for the purposes of this section." Then it does mention "prescribing a lexicon of French-English," but that is really the only place it mentions French-English. I am just wondering if this is not another technique they are using instead of coming out front on this, which might offend some of the anti-French votes the government gets. It does not make it too clear exactly what is being done here and perhaps even leaves the impression that this could apply to languages other than French.

I assume there will be regulations and interpretations put on this by the minister that will make it clear that the bill will apply to our two official languages only. I hope the minister will comment on the remarks I have made when he gets up to reply.

Mr. Boudria: Mr. Speaker, it gives me great pleasure to speak to Bill 131. As members know, I represent the constituency which has the largest proportion of francophones in Ontario and, indeed, probably anywhere in this country outside of Quebec. Seventy-eight per cent of the population of my constituency is of francophone origin. There are also a considerable number of people in my riding who are unilingual French, and although there is probably a reticence on the part of certain people to believe that actually exists in Ontario, nevertheless it is a reality. A considerable number of the electors in my constituency do not read or do not speak the English language at all or, if they do, it is so little it is not functional for them.

I can understand that, coming from a different part of the province, certain members may have difficulty in realizing that this situation exists, but it is not uncommon for us in eastern Ontario to be in a position where the rest of the province does not particularly well acknowledge our existence or our way of life, which may be somewhat different than that of the rest of the province.

We are far away from the large metropolitan area of this city and as we near, for instance in my constituency, the Quebec border on the eastern side, we are out of range of most English-speaking media on the Ontario side. It is common in my constituency to live in an area, such as Ste. Anne de Prescott, St. Eugene or in parts of East Hawkesbury township, where one relies exclusively on the Montreal media to get news.

Such is the exposure that the population of my constituency has a greater knowledge of the news of Quebec and the goings on of that area than it does of Ontario. That is not to say most people in my constituency have only recently arrived from Quebec and moved into our province. As honourable members will recall, there have been francophone residents living in our area of eastern Ontario since prior to the implementation of the Constitutional Act of 1791.

Before that, they were residents of the then province of Quebec. It was decided at one point that a vertical line would be drawn at the western extremity of the seigneurie de Vaudreuil. Everything to the west of that would thenceforth be known as Upper Canada and the eastern part would become Lower Canada, so there have been many residents of French extraction living in that area for generations and generations.

I need not remind the members of the House that it was in the early 1600s that one of the first francophone communities in Ontario was established at an area near Penetanguishene. It was known as Ste. Marie aux Hurons at that time and it was recently commemorated this year.

The francophone communities of this province undoubtedly welcome this bill and other bills which will serve to increase and acknowledge the right of francophones in Ontario. However, I am a little worried when I see the way in which some of this legislation was introduced. I hope the Minister of Consumer and Commercial Relations (Mr. Elgie) will listen to what I have to say in the next few minutes because I was particularly disturbed on that day of June 3 when these bills were introduced. I would like to remind the minister that on that day he introduced Bills 130, 131, and 132.

I consider Bill 130 to be of little relative importance. It was an amendment to the Motor Vehicle Dealers Act, only a one-page bill. Yet, on that day, the minister chose to make a broad statement on the importance of the amendment to the Motor Vehicle Dealers Act. When he stood in his place to make a statement, he never

once discussed any aspects of Bill 131 and Bill 132. I would like to remind him the press gallery was full at that time, and at the other end of the House there were the television cameras, recording what ministers of the crown had to say on new government legislation. These two bills were not discussed.

I would like him to look back at Hansard. And I would remind him that after question period, when the bills were introduced, other ministers introduced their bills first leaving plenty of time for the press gallery to become empty and for members of the press gallery to leave this illustrious chamber so they would not be informed of the legislation that was going to be introduced on that day.

Once the members of the press gallery had left this chamber, it was at that point the minister stood and introduced Bill 130 which he talked about. Then, to everyone's surprise, he proceeded to introduce Bills 131 and 132.

8:30 p.m.

I was very shocked. That was my first experience in this House with that particular phenomenon. I have seen it again lately when the amendment to the Judicature Act was introduced last week by the Attorney General (Mr. McMurtry). He used exactly the same technique.

Undoubtedly, it is a well orchestrated and well organized technique, but I would implore all cabinet ministers to stop using that technique to introduce legislation as it pertains to protecting the rights of francophones in Ontario.

Surely the Minister of Consumer and Commercial Relations is above doing that type of thing. I feel it is very unfortunate and whoever told him, or dictated to him, or suggested that he introduce legislation to protect the rights of francophones in that particular way has misled the minister. The minister should see beyond that, he should see there are not millions of votes to be lost by recognizing the rights of people whose ancestors have been living in this province for some 400 years.

I hope that in the future he will introduce this legislation with the same kind of hoop-la with which he introduces any other kind of legislation. Certainly, I would hope that An Act to amend the Registry Act and An Act to amend the Land Titles Act must be as important as An Act to amend the Motor Vehicle Dealers Act.

The rights and privileges of the francophone population surely are as important as the legislation he has introduced to protect people when dealing with used car dealers. I would like to think that in relative importance, in the future, that will not be.

Some ministers are reluctant to introduce any kind of legislation towards improving the lot of francophones. The minister has introduced this legislation; it is helpful and I acknowledge that. I would only hope that in the future a different style would be used in such introduction.

Other ministers will stand in this House, such as the Minister of Intergovernmental Affairs (Mr. Wells), and will make very impressive speeches on how to improve the situation of the francophone population of this province, and I have great admiration for the Minister of Intergovernmental Affairs for the speech that he made in this House, particularly on the day that we discussed the repatriation of our Constitution. I am sure the Speaker will recall that day.

It is difficult for me, as a representative of that population, to hear on the one hand the speech of the Minister of Intergovernmental Affairs, then to see at another time in this House the action which I have just described to the honourable members, and then on another day again to have seen the campaign we saw in the riding of Carleton, in the by-election that was held there in 1980.

To see those three different kinds of scenarios from the same government and the same party is very difficult to understand. It is perhaps very opportunistic. Perhaps it has been effective in the past. I would hope that in the future it will change, and that it will be done in such a way as to better serve the population of this province, in a more honest and truthful way.

I would like to go to some parts of the bill which I would like the minister to explain. I am sincere in saying that I convey my appreciation for the improvements that are in this bill. It is only the form of which I am critical.

In section 38, the government says languages "other than English." When we are discussing the bill, I would like the minister to elaborate on why it is worded in that way, as opposed to saying that an instrument or document-related attachment is written wholly or in part in the French language, for instance. Perhaps he could explain the wording to us and why it is important to have it in the form it is there.

That is the only question I have on this bill, and although I have not studied Bill 132 in detail, I am sure there is not much more that I would like to find out about that bill.

I would just like to say in closing that there are those who think that to ask for the services that are explained in these two bills and other bills

that have been introduced is not all that necessary, that it is a luxury proposed by a group of radical francophones and so on. That is not the case.

I indicated in the earlier part of my comments that a large proportion of the electors in my riding are unilingual francophones, and in a way I agree with the member for Welland-Thorold (Mr. Swart), who said a while ago that it is very nice to have the Registry Act amended in such a way that now we will be able to read the titles of our property in the French language. I must admit, though, I have not read the deed to my property in either language before, so I do not think I am bound to do it all that frequently in the future.

In the context of things that are important for the francophone population of the province, needless to say, other legislation would probably have been more urgent. Certainly there are several things that people deal with that would be more urgent than that. We were talking a while ago about used car dealers and things of that nature. Certainly if you have legislation that would force a bill of sale, for instance, to be written in such a way that the population would be able to read it in both official languages, it would have been far more useful.

So in that context, then, the bill corrects something that needs to be corrected, but perhaps there are other things that could have assisted the population in a greater way. That is not to say that what is there is not important. Obviously the most expensive thing most of us own is our property; that, of course, is registered in title, and to be able to read what we own is certainly comforting, as I say, although it is not a document that one picks up and reads every single day. It is done on a rather infrequent basis.

In summary, I would like to say we are happy that legislation is now being debated and that it will be passed shortly, at third reading. The francophones of Ontario are appreciative that it is being done. It is my hope that when other legislation, and more important legislation, relating to the francophone population is introduced in this illustrious chamber by the same minister, he will stand in his place, make a ministerial statement, introduce the changes he has to make and let everyone of both linguistic backgrounds know that the services are done. It is not enough to tell one group you are giving them a service and to do it by the back door and then pretend to the other group that you are doing nothing so as not to offend.

First of all, in my view those who think the majority anglophone population of this province are offended by introducing that kind of legislation are dead wrong. I do not believe that. I believe that you can offend the anglophone population if you instil that in them, if you tell them to be offended, if you create a division and then stand in the middle of that division and pretend to take the side of the bigger half of the population. You have then created a divisiveness, and it is easy for one to capitalize on that divisiveness once created.

But I believe it is not there in the people of this province. It can be created and then it can be cultivated, but the people of this province are more understanding than that, and I have great faith in them.

Je voudrais en terminant, Monsieur le Président, prendre quelques instants pour réitérer ce que j'ai déjà mentionné, à savoir que la population de la province de l'Ontario se réjouit de voir les projets de loi 131 et 132 proposés ici ce soir. Je dois cependant souligner le fait que la façon dont ces projets de loi ont été présentés devant l'Assemblée législative d'une façon qui n'a peut-être pas été aussi juste qu'elle aurait pu l'être. Certains oseraient même dire qu'elle été malhonnête, Monsieur le Président.

8:40 p.m.

Vous êtes sans doute au courant que les projets de loi 130, 131 et 132 ont été présentés dans cette illustre Chambre le 3 juin 1982. Ceci a simplement pour but de montrer comment le gouvernement peut parfois offrir des services aux francophones tout en prétendant ne pas le faire. A l'intention de la majorité anglophone, je voudrais citer le fait suivant: le 3 juin de cette année, le ministre de la Consommation et du Commerce a présenté dans cette Chambre les projets de loi 130, 131 et 132. Comme vous le savez sans doute, le projet de loi 130 vise à faire certains changements à la loi touchant le vendeur de véhicules d'occasion. Une loi d'importance très minime. Le ministre a choisi ce jour-là pour faire un énoncé ministériel détaillé sur l'importance de changer le projet de loi 130. Il a négligé de faire un énoncé sur les projets de loi 131 et 132. Ceci est sans doute dû au fait que plusieurs journalistes étaient présents.

Après la période des questions, qui a duré environ trois heures comme vous le savez, plusieurs ministres ont présenté ce jour-là les différents projets de lois. Je pourrais même regarder ici et les choisir, Monsieur le Président, pour vous les montrer. Après la présentation des différents projets de loi, le ministre de la

Consommation et du Commerce a présenté le projet de loi 130, puis très discrètement - les journalistes étaient alors tous partis - les projets de loi 131 et 132; il faut noter que ces derniers projets de loi ont une grande importance pour la minorité francophone de la province. Je trouve dommage que le ministre ait choisi de présenter les changements de cette façon. Il aurait pu procéder comme pour le projet de loi 130.

N'est-il pas possible à un ministre de faire deux énoncés ministériels par jour? D'autres ministres l'ont fait à plusieurs reprises pour d'autres projets de lois au cours de cette même journée. Il me semble que le ministre aurait pu mieux présenter ce projet de loi 130 visant à modifier l'utilisation de la langue française et de la langue anglaise. Il a choisi de le faire d'une façon un peu cachottière. Voilà ce que je déplore. Je dois dire que j'ai vu la semaine dernière, Monsieur le Président, un autre ministre utiliser la même procédure. J'ose espérer que le gouvernement, à l'avenir, lorsqu'il s'agira de présenter des projets de loi visant à améliorer le sort des francophones en Ontario, aura le courage de le faire pour que tout le monde sache ce qui se passe. Je termine ainsi mes remarques, Monsieur le Président. Malgré ce que j'ai dit, j'appuie toujours les projets de loi 131 et 132.

So, in spite of some of the negative comments I have made, they are not to the content of the bill but rather to the form in which, unfortunately, some of the legislation is introduced at times in this great chamber; and that is certainly a classic example.

I would like the minister to know that immediately after those two bills were introduced that day, I went up to the press gallery and one member of the press gallery and I discussed the form in which that was done. We both agreed it was an unfortunate way of doing things. I hope that particular person in the gallery will read Hansard and what has been said here tonight.

I hope the minister, in his concluding remarks on the bill, will tell us that future legislation pertaining to francophones will be introduced in the same way as other legislation, and not in such a way as to hide it from the majority of anglophones and, on the other hand, go into francophone communities and pretend he is doing everything for them. That is certainly not the way to deal with minorities in this province.

Hon. Mr. Elgie: Mr. Speaker, I appreciate the comments from all members who have spoken. By way of some initial remarks, I may stand to be corrected, but it is my recollection—and I refer particularly now to the remarks of the member for Prescott-Russell (Mr. Boudria)—that this particular issue was referred to in the speech from the throne. So I find it a little bit cynical—and I say this kindly, I really do—for someone to suggest that anyone is trying to hide anything.

It was presented in the House. I made some introductory remarks with respect to both bills. The bills have both received a degree of priority, which the member did not refer to at any great length. Quite frankly, there are other bills that are equally important for other reasons. We elected to proceed with these bills because they are in line with the many endeavours of this ministry to provide French-language services to our fellow Canadians living in this province. If he explores the record, he will find that statement can be well substantiated.

I appreciated most of the remarks of the member for Kitchener (Mr. Breithaupt). Indeed, I really appreciate him so much I have to say I appreciated all his remarks. He raised particularly the issue of section 38, which was also raised by the member for Welland-Thorold (Mr. Swart) and the member for Prescott-Russell. Section 38 is virtually identical to the present section with one addition. That is, it is designed now to allow us to refer to all affidavits attached to an instrument, whereas under the previous section we were limited in that we could only deal with the affidavit of execution. This allows affidavits other than the affidavit of execution to be added to the numerous documents we are presented with in a variety of languages.

The important thing that is being overlooked is that section 38a specifically provides for the provision of French-language documents in these areas. In answer to some remarks suggesting that French is not referred to specifically, I refer members to the notes at the side of section 38a, which specifically refer to registration of instruments and documents in the French language. I do not think there is anything other than an honest attempt to provide a section that will allow us to gradually expand bilingual documents by regulation and, as we gain greater facility with the lexicon, into other areas. That section is designed to give us that kind of flexibility.

Again, I sincerely thank members for their support for these two bills.

Motion agreed to.

Ordered for third reading.

8:50 p.m.

LAND TITLES AMENDMENT ACT

Hon. Mr. Elgie moved second reading of Bill 132, An Act to amend the Land Titles Act.

Hon. Mr. Elgie: Mr. Speaker, I have no remarks additional to those I made in introducing second reading of Bill 131.

Mr. Breithaupt: Mr. Speaker, I am pleased to rise in support of Bill 132 on an evening that is a rather peculiar one in this Legislature, because for the first time in my experience we have on the government side six ministers of the crown but no back-benchers in support. I do not know who is doing the quarterbacking, but certainly the Minister of Consumer and Commercial Relations (Mr. Elgie) has brought out a number of his colleagues to see how he gets legislation through the House. At least those in cabinet got the word. Whether the message went elsewhere or not, it is difficult to say.

In any event, this is companion legislation to Bill 131. It cites the same aspects of translation availability and the lexicon requirements under the land titles system. We will, of course, support the bill.

Mr. Swart: Mr. Speaker, I rise to offer the support of the New Democratic Party for this bill too. As has already been stated, it is a companion to Bill 131. We supported that bill and we are obviously going to support this one.

I wish to ask the minister, when he rises to make further comments, whether he can give some indication of the use of the Land Titles Act in the francophone communities of this province. I wonder whether there has been an inhibition of its use because of the lack of the right to have land titles registered in the French language. If he has that information, we will be glad to have it.

Mr. Breaugh: Mr. Speaker, as the previous speaker said, we are in support of the bill. To elaborate on what others have noted, the presence of cabinet ministers this evening is rather astounding. More important and even more astounding is the absence of the back-benchers. Could it be that on the government side there has been some division of ranks as to who would be supportive of this kind of legislation and who would not?

The Deputy Speaker: No. They have learned the ways of the world.

Mr. Breaugh: Mr. Speaker, could it be that the chief government whip (Mr. Gregory), who is well known for his disciplinary ability, has put the wood to all the back-benchers who might not be so forthright in their support of this legislation? Is it possible the orders have gone out that if they do not like this kind of legislation, they should stay away tonight? One cannot help but wonder and remark upon the fact.

I do not recall another single piece of legislation where I have looked across the aisle and seen absolutely nothing but a sea of cabinet faces.

Hon. Mr. Snow: I do not see any ministers on that side.

Mr. Breaugh: That is right, but I see a lot more back-benchers on this side than I see over there. I cannot help but remark in passing that this is a most unusual evening. One has to come—

The Deputy Speaker: I guess we should get back to the bill somehow.

Mr. Breaugh: One has to come to the conclusion that the principles of this piece of legislation are found to be somewhat offensive to some members opposite, because every other night that I have been here I have managed to look across the way and see one, perhaps two, members of the cabinet—oh, we are being joined by yet another member of the cabinet.

Hon. Mr. McCaffrey: And the Minister of Citizenship and Culture at that.

Mr. Breaugh: The Minister of Citizenship and Culture. Could it be that some accident has befallen the entire Tory back benches? Have they been stricken by some disease that prevents them from attendance here this evening?

Mr. Breithaupt: We do not see as many at question period.

Mr. Breaugh: No. We do not see them here at two o'clock, and we rarely see all of them here at five minutes to nine.

We support the concept in this bill. I think it is important, when addressing the principles of this type of legislation, to mention, at least in passing, that these are two rather unusual bills to be the vanguard of the provision of French-language services in Ontario.

If someone had asked us six or eight months ago, with regard to the provision of services in the French language, "Which two pieces of legislation would you have right out in front to lead this charge?" I doubt very many of us would have picked these two bills as being the edge of the wedge, so to speak. I think we might have looked in some other areas and said they might get priority.

I am not terribly sure there is a clamour out

there, even in the francophone community, for this to be a priority of the government in its introduction of services in the French language. I find it a rather odd pair of bills to have before the House and leading us into this debate.

In many ways, in the principles that are reflected in these two bills—this one and the one we have just dealt with—we find the heart of the Tory attitude towards the provision of French-language services: Do it quietly, do it as unobtrusively as possible. Find areas where there will be minimal impact, if you like, on access to any particular kind of service. And move in those ways so that, come election time, the government can enjoy the best of both worlds. On the one hand, the government can say, "Yes, we are making some movement in the provision of French-language services," and it can point to these two bills as being the vanguard of this year's attempt to provide French-language services in Ontario.

On the opposite side, of course, we do have to admit that every once in a while—one would almost think that there was a very careful piece of teamwork afoot here, that somebody was co-ordinating this very smoothly, very nicely—once or twice a year we have bills brought before the House which expand, where numbers warrant and in a manner that is not too offensive to the public eye, the provision of French-language services. It seems that this year's dose is these two bills.

It is an unusual thing to say that we accept the principle of the use of French as an official language in Ontario at some time, in some way and in some places. I do not know whether it possibly can be watered down much more than that. Perhaps we will see the Tories rise to a new challenge at some time in the near future and say what this House once upon a time had an opportunity to say, that we believe there ought to be two official languages recognized and that it should not be a matter of geography as to where they are recognized; it ought to be a matter of right.

We join with other speakers here this evening in supporting the bill, but we could not let this debate go by without noting the technique that has been used here this evening.

Mr. Roy: Mr. Speaker, I think you would be disappointed indeed had I not been up and participating in this debate. The members will understand that as a Franco-Ontarian who has sat here since October 1971—

Hon. Miss Stephenson: Part-time.

Mr. Roy: The Minister of Education just made one of her ebullient—I wish I had the headline from the Toronto paper which perfectly described the Minister of Education as being abrasive, provocative—what else did it say about her?

Hon. Mr. Snow: Colourful.

Mr. Roy: Colourful? Yes, I would say that about the minister. In any event, she is here and we should note her presence for the record. I am sure she will be up, making her constructive comments to this legislation.

But if I may go back to what I was saying before I was so rudely interrupted: In my 11 years here, I have never been so overwhelmed. Members will realize that all afternoon we talked about very important amendments to the Municipal Act. We talked about some of the changes being made in it so that councils can legally pass bylaws in both languages and can accept documents etc. in both languages. As one of those who have watched the process here, as slow as it has been, I thought that was not bad for one day.

That was an important step. But to compound it further by important changes in the Regional Municipality of Ottawa-Carleton Act to allow changes in the representation on school boards, and then to move a step further with Bill 131 and its changes to the Registry Act; and now with Bill 132—my God, it is gargantuan; it is overwhelming.

I say to the Minister of Consumer and Commercial Relations, the government had better circle this date for the next election. I am dumfounded. I am at a loss for words as to how I should express my gratitude to this government for having taken such a giant or overwhelming initiative.

9 p.m.

Mr. Speaker, you mentioned progressive. Sure it is progressive. But is it not something in Ontario, does it say anything about the makeup of this place or of the government or of the province itself, that we, with our missionary zeal have been asking for such legislation, we who have been saying that the province can tolerate this?

We think that if they allow documents to be registered in the French language, maybe the province will not go to the dogs. Maybe we will be able to survive this. Maybe if they allow a municipal council to pass legislation in both languages, life will continue in Ontario. We will

still get our cheques as members, and the world will unfold as it should.

Hon. Mr. Ashe: Doesn't your hand shake?

Mr. Roy: The Minister of Revenue asks, "Does my hand shake?" He should know something about hand shaking. After what he has done to the citizens of Ontario with his taxes, I would give back my cheque if I were he. That is what he should be doing.

Hon. Mr. Ashe: My hand doesn't shake, but yours must.

Mr. Roy: My good God. I will get back to this. We have been asking for this. We have been saying that it is important, that it will not unduly affect the whole process of justice, that this type of legislation should be allowed, that it will not set the registry offices on fire, that our documents will be typed on word processing machines and they will not disappear once you register them. Life will continue.

After asking for this and after having been told: "Take your time. Do not rush; do not be radical about this: It will come in due course. Do not get overly carried away about this," all at once on the same day we get three pieces of legislation. My God, what is the government trying to do? Are they trying to create chaos in the Franco-Ontarian community?

Is my friend the Minister of Education not ashamed of what is going on here this evening? Is somebody trying to embarrass her for her slowness in taking action within her ministry for Franco-Ontarians with three pieces of legislation?

What is going on? I am overwhelmed not only by the legislation but also overwhelmed by the fact that there are no back-benchers over there; they are all ministers. There are seven ministers and not one back-bencher in the House.

The Acting Speaker (Mr. Cousens): Feel proud.

Hon. Mr. Snow: They are in committee. Didn't you ever hear of committee?

Mr. Roy: The Minister of Transportation and Communications says they are in committee.

But I want to repeat: I am a moderate fellow. I have been around this place. I overwhelm easily. I am from a riding with people who have modest incomes. I am from a poor family. I just try to practise a bit of law and at the same time try to represent my constituents. It does not take all that much to overwhelm me.

But this evening I am overwhelmed. I am at a loss for words. Three pieces of legislation, and, as I will say to my colleagues as we prepare these documents in the French language, I do not quite believe this, it is too much.

As I said earlier today, this government, which has consistently refused to legislate rights, all at once has gone hog wild: three pieces of legislation on the same day. So obviously I am surprised.

Obviously I support the legislation, even though I must admit I am a bit vexed by the fact that if, in a moment of absentmindedness, I should tell a member of the staff in my office that a document should be prepared in the French language and she runs down to the registry office to get it registered, I need a translation for it.

It bothers me a little that if documents are going to be registered in a language other than English, somehow we are trying to pull a fast one either on the officials in the registry office or the title against which we are trying to register the instrument. So just to be absolutely safe, we will give a translation.

At times I find it somewhat condescending. In some areas it may be difficult, but in most areas it may not be difficult to have a person who understands French and who may look at this document and verify that it represents what it is intended to represent.

I would like the minister to tell me why a translation is required if a document or instrument is going to be registered in a language other than English. It has been my experience that officials at the registry office do not read all those documents even though they are registered in English. There must be some reason why such a requirement is put in the legislation.

Mr. Eakins: A little bit at a time.

Mr. Roy: It is a little bit at a time, but all in one day is really too much.

Mr. Eakins: I will bet he does not tell the people it is being done. He won't send out a press release. Will the minister send out a press release to tell the people or will he keep it quiet?

Mr. Roy: As my colleague the member for Victoria-Haliburton (Mr. Eakins) says, I am sure they will send out press releases in his riding in the French language. I can just see the government publicizing this venture.

I say to my good friend the Minister of Consumer and Commercial Relations, is it not ironic that his boss, the Premier (Mr. Davis), has consistently refused to protect French-language services by enacting legislation to ensure these services are carried out? He has refused to protect them by enacting, as in all other areas,

legislation that gives the parameters, the duties and the rights that are given to individuals in certain areas by way of legislation?

The Premier has consistently refused to accept that principle. He says, "No, we will do it in our good time." Slowly but surely, some of the members on that side are undermining his policies and bringing forward legislation. How do they get away with that? It is pretty slick on their part to be doing that.

A strange process goes on in the Conservative Party. We have a group of civil servants within the government itself and various officials who were appointed to a committee who reviewed the process of French-language services in Ontario. They have come to the conclusion that, as long as there is no legislation guaranteeing these services, the provision of such services becomes haphazard; it becomes a hit-and-miss proposition. The civil servants do not know what their obligations are and the francophones or the people who want French language services do not know what their rights are.

The Acting Speaker: Are you speaking on Bill 132?

Mr. Roy: Oh, I am right on, Mr. Speaker. In fact, I am embarrassed I am talking so much about this bill.

The Acting Speaker: You are going on and on.

Mr. Roy: Mr. Speaker, I know your difficulty this evening is that I am speaking only in the English language. When I was speaking in French, you knew full well I was speaking only about the bill.

The Acting Speaker: I truly appreciated those happy moments.

Mr. Roy: Of course, you understood every word and you knew I was in full order. In any event, getting back to my point before I was rudely interrupted—

The Acting Speaker: I am trying to find your point.

9:10 p.m.

Mr. Roy: The point is that the people on this particular committee have said, "The only sure way to assure adequate provision of French-language services is to have legislation." It would be legislation that resembles somewhat the moderate bill I introduced in 1978 which had been accepted by the Legislature and which most members on that side had accepted. If the Minister of Consumer and Commercial Relations did not speak in favour of it, he certainly voted in favour of the legislation before it was so unceremoniously vetoed by the Premier.

In any event, the government has refused to accept that principle. The Premier said: "The way to provide the services is sort of discretionary. We will have these policies, but let us not move too quickly." Even though the civil service and that committee have said the way to do it is to have an omnibus bill providing this legislation, that has been the policy of the government.

All at once one gets these ministers, first the Minister of Municipal Affairs and Housing (Mr. Bennett) this afternoon, clearly undermining the policy of the government by bringing forward legislation to say municipalities can have bylaws in both languages. I would think he got a tongue-lashing in cabinet over that. But they said: "You can get away with that. We will let you. After all, you have not shown in the past"—

The Acting Speaker: I find it difficult to see how this relates to Bill 132.

Mr. Roy: I am getting right on, Mr. Speaker; it is just to make my point.

The Acting Speaker: I suggest you get on.

Mr. Roy: Mr. Speaker, you will understand that if I try to be too brief getting to the point, some people here may miss the point—

The Acting Speaker: I am having difficulty.

Mr. Roy: I notice that some of the cabinet ministers across the way are taking notes. I would not want them to miss the point, especially my colleague the enthusiastic Minister of Revenue, who is listening to every word.

The Acting Speaker: If you are dealing with Bill 132, I would like you to deal with the bill specifically.

Mr. Roy: Bill 132 deals with guaranteeing by way of legislation that people can register a document in the French language, and I am just explaining how that comes about.

First, we have the Minister of Municipal Affairs and Housing who undermines the policy of the government. Now we have the Minister of Consumer and Commercial Relations this evening with two bills, Bill 131, the Registry Amendment Act, and Bill 132, the Land Titles Amendment Act, which clearly undermine the policies of the Conservative Party.

It is quite a day in Ontario. It is a red letter day; is that the slang one uses? It is really unusual. I am overwhelmed and supportive of the legislation.

I look forward to the explanation by the

minister as to why the translation is required, but we in the Franco-Ontarian community have been patient. We will accept these initiatives. If the Premier deals too harshly with the minister, we will be supportive. The minister will say, "Look, the people in the Legislature accepted it in spite of my"—yes, the minister is wiping his brow. I know it is a solace to him to think some of us are supportive of his initiative.

In all my years here, I have never seen a day like quite this. Do you realize that, Mr. Speaker? It is a momentous day that you should be sitting in the chair when these important events are taking place in Ontario.

I am so overwhelmed I think I should say a few words in French for my confrères.

Je voudrais dire simplement, Monsieur le Président, que c'est une journée absolument extraordinaire dans la législature ontarienne. C'est le troisième projet de loi aujourd'hui qui nous permet d'enregistrer des documents en français. Il faut, certes, donner une traduction, mais c'est tout de même une étape importante. Par petits pas, on avance.

Et je pense, Monsieur l'Orateur, que même avec la largesse du gouvernement, si l'on regarde dans toute l'histoire de la législature, il n'y a jamais eu de jour aussi important que ce 2 novembre, date à laquelle on compte trois projets de loi qui vont permettre d'avoir des services en français. Il y a des années que nous demandons ces services. Il y a des années que l'on nous répond: "On ne peut pas vous donner ces choses-là". Mais ce qui est important, Monsieur le Président, c'est que maintenant la loi existe et la Province de l'Ontario va néanmoins continuer à vivre. Il n'y aura d'émeutes. Je n'ai vu personne à l'extérieur de l'Assemblée législative. Personne n'a essayé de fusiller le ministre ou de critiquer la communauté franco-ontarienne. Le monde va continuer à tourner. Les avocats vont continuer à pratiquer. Je regardais ce soir les élections chez nos voisins du sud, les Américains...

The Acting Speaker (Mr. Cousens): Are you dealing with Bill 132?

Mr. Roy: Oui Monsieur le Président, cela a trait à la législation. C'est écrit ici...

The Acting Speaker: I am not exactly sure that you are.

Mr. Boudria: You are not exactly sure that he is not.

The Acting Speaker: I cannot be precise, but I trust you will be honest in saying you are talking to Bill 132.

Mr. Roy: Mr. Speaker, just because I happen to mention the American election, it does not mean to say it is not on the legislation itself. If I may continue, I know you are following every word.

The Acting Speaker: The worst thing is I am not totally comprehending how it relates to Bill 132.

Mr. Roy: I know you are keeping an eye on me. I will continue.

Toujours est-il, Monsieur le Président, que la vie continue. Il y aura des mariages, des naissances... Et soudainement, les Conservateurs vont s'apercevoir que les "so-called Red Necks" comme on dit en anglais... (?) Où sont les émeutes provoquées par les personnes qui s'opposent à cette législation? Et vous, monsieur le Ministre qui avez préparé cette étape importante, et qui présentez ce soir deux législations, vous allez avoir une très bonne réputation au sein de la communauté franco-ontarienne. Tout le monde va dire que vous êtes un ministre objectif, d'une grande souplesse d'esprit, même si certains membres de votre parti vont dire: "Il est tanné de détruire la politique du Premier ministre en présentant cette législation". Monsieur le Président, nous sommes en faveur de la législation et nous applaudissons à l'initiative du gouvernement. J'aimerais toutefois entendre la raison pour laquelle il est nécessaire, lorsqu'on présente des documents à l'enregistrement dans une langue autre que l'anglais, d'avoir une traduction. J'apprécierais les commentaires du ministre à cet égard, car la communauté va certainement vouloir la connaître. En d'autres termes, il existe des critères différents selon que les documents sont écrits dans une langue ou dans une autre. Il serait bon d'avoir une explication.

Mr. Speaker, in closing, you will understand that I would have had many more things to say. It is just that I am at a loss for words.

Hon. Mr. Snow: Go ahead.

Mr. Roy: I am overwhelmed. I am as overwhelmed as I was at the first signs you put on your highways in the Ottawa-Carleton area in both languages. That was an important step.

The Acting Speaker: On Bill 132, please.

Mr. Roy: We really appreciated that.

Hon. Mr. Snow: In Prescott-Russell they put Jacques Naige on the signs.

Mr. Roy: Yes, I remember that.

This is really an exceptional day in Ontario. To have three pieces of legislation guaranteeing

French-language services is really something that should be underlined. Historians will look back on this and they will try to see some association between this flurry of legislation and the political events of the country.

Does it have something to do with the mid-term elections in the US? Does that have something to do with this legislation? What is the causal connection? It is fabulous. It is something that those of us who have been fighting for this are overwhelmed by, and we are extremely supportive.

9:20 p.m.

Mr. Eakins: Mr. Speaker, I would like to simply ask the minister, in the interest of all people of Ontario being informed of this important legislation, will he be sending out press releases to all parts of Ontario, to the dailies, and to the weeklies, so they will all be aware of what has happened here tonight?

All too often with important legislation such as this, the ministries simply keep a low profile on it and do not tell certain sections of Ontario what they are doing. It is important that the ministries make sure all sections of Ontario are treated equally. I would say to the minister that if he would send me over a couple of hundred copies, I will see they are delivered personally.

Hon. Mr. Elgie: Mr. Speaker, I am just overwhelmed to be privileged to be here on such an occasion, to be spellbound by the eloquence of my fellow colleague and fellow graduate of the University of Ottawa. I understand that university brings out such great things in people. It has not done it yet to him, but it will eventually, I am sure. We all look forward to that day.

Seriously, the member was not here when I mentioned earlier that these two bills were introduced last June, and to the best of my recollection the issue was also referred to in the speech from the throne so it is an issue that the government has taken seriously. Certainly, it is an issue this ministry looks upon as part of our continuing endeavours to provide increasing service to the French-language community of this province.

I have already mentioned the issue of section 38 of the Registry Act, but I will just review it again for the member for Ottawa East (Mr. Roy). Actually, section 38 is exactly as it was, and has always been, except for the fact that it was limited to the filing of affidavits of execution. With the change in the wording to "related attachments" it now will allow us to file all affidavits whether or not they are affidavits of execution.

It may come as a surprise to the honourable members, but there are documents that are presented, notarized wills from Germany for example, that require a translation. There are many documents in many languages that sometimes have to be filed on title. Section 38 refers to those particular documents.

The point of the bill is really the section which sets a specific reference to documents in the French language. That is the point of this bill, and the original subsection, subsection 88a really is unchanged except to give it broader application in terms of what types of attachments may be filed.

I thank the members for their support of the bill and I look forward to a quick passage.

Motion agreed to.

Ordered for third reading.

SECURITIES AMENDMENT ACT

Hon. Mr. Elgie moved second reading of Bill 176, An Act to amend the Securities Act.

Hon. Mr. Elgie: Mr. Speaker, as many of the members may recall, when the government introduced the Securities Act in 1978, it was a major revision of existing legislation. Since that time, it has become increasingly clear that other revisions are necessary to update the legislation. I am introducing for second reading this evening the Securities Amendment Act which reflects those needed changes.

It has become necessary, for example, that some clarification of the legislation's application to crown agencies be made. It is increasingly routine for crown agencies to enter Ontario capital markets for publicly traded securities. The fact that those agencies alone might not be required to comply with the provisions of the act may bring our securities market into disrepute. Therefore, the amendments make it clear that the act applies to the crown in right of Canada, the crown in right of Ontario and the crown in right of other provinces when they participate in the public capital markets of Ontario.

As well, the definition of a takeover bid has been changed to include offers made for securities convertible into voting securities. The takeover bid threshold level has also been redefined from 20 per cent of outstanding voting securities to 10 per cent of the voting rights attached to the voting securities that would be outstanding on a fully diluted basis. This is being done in an effort

to achieve more uniformity with the definition in the federal act and to discourage what is known as a creeping takeover.

These are two major changes to the act. Other changes can be divided into four separate categories:

First, insider trading and reporting: The Securities Act now requires insiders of a public company to file reports of their trading in securities. These regulations will be amended to speed up the filing of reports.

Second, self-regulation of the investment industry: These amendments are intended to provide, upon application of a self-regulatory organization, Ontario Securities Commission recognition of and over the said self-regulatory organization. Other than with respect to the Toronto Stock Exchange, the present legislation restricts the government to the overseeing of rules and regulations in respect of practice and procedure on audits.

Third, the issue of timely disclosure and continuous disclosure: These amendments will result in a new offence and new rights of action if a person intending to make a takeover bid, or anyone who has a special relationship to that person, tips others as to the intention before it is generally disclosed.

Fourth, distribution and resale of securities: These amendments are designed to prevent people from acting as unregistered underwriters buying for intermediate resale or, in other words, from effecting back-door underwriting.

These are just a few of the many amendments to the act, which I believe are both necessary and innovative, to ensure the continued integrity of these markets.

The Acting Speaker: The member for Kitchener.

[Applause]

Mr. Breithaupt: Mr. Speaker, I do not know if they will applaud as much when I sit down, after they have heard what I have to say on the bill, as they did when I stood up. In any event, it is possible it could be more.

When we last looked at this legislation—I think it was three years ago—there were a variety of public hearings that dealt with, I believe it was, Bills 7, 8, and 9. At that time, we entirely reviewed the contents of the securities legislation and we had the advantage in the public hearings that were occasioned by those bills to hear from a number of particularly involved lawyers and brokers, who were dealing with the legislation on a daily basis, about whether it was written in a practical and thorough way so it would accomplish the ministry's intentions.

Now we face in Bill 176 some 44 pages of housekeeping and other amendments. Indeed if one looks at the notes to the bill, they take 10 pages alone, and deal with matters as disparate as the definition of director, the involvement of private mutual funds, the matter of beneficial ownership, and the suggestion that the members of the commission can be divided into two or more panels for a variety of sittings. We talk about the right to be represented by counsel. We deal with the matter of freeze orders. We talk about portfolio managers and the purchasing by them as principals or the dealing with that when trading for fully managed accounts. On and on it goes.

9:30 p.m.

Really, as we look at the series of sections that deal with the tipping of information to a variety of inside or outside sources and the penalties this sort of thing may bring, we see a great involvement of a variety of amendments that presumably have come to light in these last several years either through not being involved in the Securities Act as it was then passed or because of changing circumstances.

I think it is really fair to say that there is no particular principle in this bill. We are dealing with substantial amendments in almost every area in the Securities Act that we thought we had passed, tidied up and clarified but three years ago.

I do not know the minister's intention with respect to committee hearings on this matter. I must say that from several survey calls made to contacts in the brokerage and financial communities, the amendments suggested and the details and the involvements apparently have been canvassed fairly thoroughly within the industry. That is not to say we should necessarily pass the things the Bay Street boys wish to have for their particular convenience, but it is very difficult for us as interested amateurs in this operation to try to come to grips with something that requires 10 pages of notes of explanation.

I do not know the minister's intentions. Indeed, I do not know whether sending this bill to committee would enlighten us in any way as to the pros and cons of what a certain section should or could contain. It is really a conundrum, because when we deal with financial legislation, whatever our abilities to observe upon it, we are torn between competing inter-

ests, and of course, we also are not fully familiar on a daily basis with the operations or the very particular details of financial communities and transactions.

In looking to the bill, when we talk about things such as back-door underwritings or what a director's circular should contain, these are terms that are not familiar in depth, I think it is fair to say, to any one of us in this chamber. It is a very difficult thing to try to deal with. I can only presume that the balancing of interests, with which the minister has attempted to deal through not only the securities commission but also the other sources that are available to him, has attempted to tidy up a variety of these sections to make them more meaningful and relevant.

In the absence of strong opinions, there is not much we can do except to approve a bill like this in whatever principle terms it really refers to and then to attempt to explain or receive explanations on particular sections, if the minister chooses to develop them in any particular way.

I do not know whether we would resolve anything by sending a bill like this to committee of the whole, because we will go through each of these sections in balanced and somewhat blissful ignorance of what many of the ramifications may be. That is because of the peculiarities of the financial markets with which we are attempting to deal.

I would like to hear from the minister as to how he thinks we might best handle this bill. I recognize, of course, that as you look at the committee situation within the House, committees are now almost bogged down, not only with Bill 138, the Health Protection Act, but also with Bill 179, the Inflation Restraint Act and with a number of the estimates, and we face the possible adjournment of the House in six weeks or so.

If it was worth while, we could suggest to certain parties in the securities business that we would set aside a day of committee work to hear whatever balancing views there are so we might get more readily acceptable legislation. I realize, of course, that we could bring in half a dozen of the leading financial experts and they might divide three and three for and against any particular section. I think we would be more confident in looking at this legislation and have a better sense of the impact of the development of some of these terms and definitions if we could at least agree to a day in standing committee.

It seems to me that better legislation occurs—as it did when we looked at Bills 7, 8 and 9—when there are balancing interests and people commenting about what should or should not be in an amendment. In the bills mentioned, they were not always particularly successful. Some people spoke very strongly on a certain section or area because of their own particular area of expertise, and some amendments were accepted by the ministry while others were not. But those amendments which more particularly or precisely defined a certain term apparently were worth while.

I would suggest that, while the House may move quite readily to approve this bill on second reading, it would be prudent for us to try to find a day—perhaps a Wednesday where we could sit morning and afternoon—in the standing committee on administration of justice if that was available, or in whatever committee would be convenient from the House leaders' point of view, to try to set up some give-and-take among three or four of the proponents or persons knowledgeable of the various terms. We would get better legislation and would certainly be satisfied that we had done more than just take a cursory view of what is almost a foreign language, something that does not come up for any of us in our ordinary daily pursuits around here.

I am quite prepared to support the bill in principle, whatever principle we might say in fact exists as we look at a variety of amendments. But when we have some 50 sections before us, I think a day spent going through it in a more thorough way with those members of the House who would be charged with that responsibility, would be a better approach and one which might be seen to be a more thorough display of the responsibilities which we have.

Mr. Renwick: Mr. Speaker, I rise to say that our caucus is certainly not going to oppose the passage of this bill. I suppose that is the best way of expressing our concern and interest about it. I think it is essential that the bill go out to the standing committee on the administration of justice.

On the occasion of second reading of this amending bill, I do not want to reiterate a number of the comments which have been made. I think the facts speak for themselves. It is two ministers ago—which seems a very short time ago—that this bill was passed. It is two chairmen of the Ontario Securities Commission ago, almost, since this bill was passed, so we have a kind of revolving door. The relevance of this assembly to this kind of legislation will be

illustrated by the competence of the assembly to devise the method by which we effectively deal with the bill.

I want to speak through the minister to the commission. The commission has an absolute responsibility to this assembly, to which it is accountable, to come before the standing committee on the administration of justice and to explain each and every item in the bill. I want the commission to understand that this assembly is not equipped and does not have the staff, the talent or the ability to be other than reliant on the commission. They must not wait for members of the assembly to question them but, in a forthcoming way, they must come to the assembly in its committees and say to the assembly: "This is what this section means in the English language. This is why it is being proposed. This is the problem with which we are faced. These are the conflicting views we have heard. This is the resolution."

9:40 p.m.

I am saying this to the assembly because I assured the commission that if there is a change of government—I emphasize the "if," because one is not sanguine that there is going to be a change of government—this commission is going to have to respond to the assembly.

We have been involved and we were involved in Re-Mor on the ridiculous proposition put forward by the commission that it was independent of the assembly, that it was not accountable to the assembly and that we were to pass legislation establishing the further autonomy of that body. That is not an exaggeration; the letter is on the record.

We all understand that the commission in its quasi-judicial functions has a certain degree of independence and autonomy. In its administrative functions and in the ambit of the legislation that is before us I want the commission, the new chairman of the commission and the new members of the commission, to understand that this is the body that is paramount. Having said that, I say to the assembly that if they want this assembly to be relevant, then they have to deal with this kind of legislation.

I say this with a certain amount of diffidence. There was a time when I used to know a lot about securities law, a lot about corporate financing. I lived in the world, I earned my living by it and I understood it. I do not understand it any more. I perhaps understand more than some other people understand, but it is with considerable diffidence that I want to say again to the commission and I want to say to the assembly that the capacity of this assembly to be relevant is a question of whether or not it has the capacity to deal with this legislation. This assembly cannot deal with this legislation unless the members of the commission understand that they are accountable to this assembly and that they must come before this assembly and explain each and every section of this bill.

I am not kidding. We in this party do not have any authority; the members of the Liberal Party do not have any authority. But I am serving warning that, should there be a change of government and should this party become the government of Ontario—members can laugh or whatever they want. Whether it happens or not has nothing to do with what is going on here; the responsibility of that commission has to be understood.

I have been in this assembly for a long period of time dealing with the Securities Act. I want this House to know that when the last securities bill, the whole bill, was before the assembly, not one single amendment was accepted by the government or by the commission as having any validity. If members can tell me that there is any God-given right in the drafters of the Securities Act that we passed three years ago to believe it is so perfect that not a single amendment can be made to it, then I ask this assembly, "What are we about?"

I am sick and tired of the commission. I believe in the regulation of the securities industry, but I have not had and I do not have, regardless of the individual confidence I may have in a particular commissioner or chairman, confidence in the commission as a whole to understand anything about its responsibility to this assembly. That is merely a simple way of underlining what I want to say about this bill.

This bill is coming to us without any suggestion by the minister as to how it is going to be dealt with. In this, I agree with my rather more generous colleague the member for Kitchener (Mr. Breithaupt). We are supposed to make the suggestion as to how it is to be dealt with. We are supposed to pretend somehow or other that all of this game can be played in an irrelevant and irresponsible way in this assembly, and we can pass this bill without any serious consideration being given to it.

I want the House to know the bill is comprehensive in scope and contains 54 sections and about 30 amendments to the Securities Act, all

of which reflect, apparently, experience with the new Securities Act which came into force on September 15, 1979, having been previously enacted by this assembly.

That is what it is about. It expresses the experience of the commission with the bill we passed three years ago. I expect the commission to come forward in the committee and explain to the standing committee on administration of justice each and every section of this bill.

I am not going to take a great deal of time to go through the provisions. I tried to provide a synopsis for my colleagues in the caucus of the New Democratic Party so we could understand what it was about.

We give the government the benefit of the doubt. We are not going to oppose it. It would be ridiculous. It would be irrelevant for us to oppose the bill in this session. All I know is I managed to work out about nine areas of concern.

The minister talks about four areas of concern. There are 54 sections in the bill. There is the incorporation in the bill of many areas that are now covered by regulations. There are immense changes in this bill.

It is very interesting to note, of course, that those of us who bothered to follow it in the newspapers, day in and day out, read that the controversial follow-up provisions after takeover bids have not been changed in any way. Yet that is what one hears about all the time. We hear about the takeover bids and the controversy about the follow-up on it.

I have given thought, as my colleague the member for Kitchener has given thought, to this question about how one deals with it. The answer is the commission should deal with it. If the commission cannot deal with it before the standing committee on administration of justice, then it is up to the Lieutenant Governor in Council to dismiss the commissioners and get commissioners who can understand they have to come to this assembly and speak about their bill and justify it.

In the responsibility for general legislation we have to our constituents, we do not have the time, the energy or the competence to deal with the jargon of the securities industry. It is pure jargon.

The minister talks about back-door underwriting, timely disclosure, evergreen provision and all of that nonsense. Unless one is part of the in-group, one cannot talk the language and understand it. Let us not have anybody kid anybody else about it. This assembly is an assembly of plain-spoken men and women who say what they mean when they mean it, and they try to say it as best they can, forgiving those of us who speak in elliptical ways on occasion.

I doubt if there is a commissioner sitting under the gallery tonight while the bill is being discussed. I may be quite wrong. I do not know all of the commissioners, but I doubt if a commissioner has bothered to come before the assembly tonight and listen to the debate on second reading. I doubt very much, unless somebody draws it to their attention, they would even bother to read the provisions in the bill.

I want to say to the members of the assembly, and through the assembly to the commission, that I want explanations. I want somebody to read sections 26 and 47 of this bill and tell us what the problem was that led to those sections. We have little tidy notes which make us all feel we must be part of the in-game that is being played in the securities industry because it talks about amending the Securities Act to pass section 75a dealing with tipping. This sounds very nice. What does tipping mean? Nobody knows what it means. All we know is that there are people on the street who know what is happening before anybody else bloody well knows about it, and there is no way of catching them. That is what it is talking about.

9:50 p.m.

We are going to be asked to pass intricate legislation, which is generally characterized as gobbledegook, which will never be used to prosecute anybody successfully and which will cost the crown thousands of dollars when it attempts to prosecute somebody. That is what we are going to be asked to pass. We have a complementary section, 131a, dealing with liability for tipping. I defy anybody to read section 47, which asks us to enact section 131a as a part of the Securities Act, and to understand what it means. It goes on and on and on.

I am not as sanguine or as polite or as kind as my friend the member for Kitchener (Mr. Breithaupt). We both have been through the same mill several times. He wants still to maintain the club. I have had the club. I tried the club when the Securities Act came through. I tried to indicate, in all co-operative interest, concerns about the bill, to ask questions about the bill, and we had a very able chairman of the Ontario Securities Commission there. But nothing happened in the committee, not one single, solitary thing. I waited for the three years, for the

gestation period to come about, until we got the 54 sections with the 30 amendments about a statute that none of us know anything about.

I am saying to the members of the commission that the club is over. This party will oppose this bill on third reading. Whether it is relevant or not is not of concern. The government members can laugh or do whatever they want to do about it. I am saying to the commission members that we must request that the bill go before the standing committee on the administration of justice, and they should be prepared to come and express to that committee clearly and in English what they are doing in the securities field and what the major problems are.

It is only going to be a short time, if they have not already started, before the estimates of the ministry will be before the general government committee as well, and the votes of the securities commission will be before that committee. There are a thousand and one pressures on this assembly, in its work and what it has to do. We will have a limited amount of time to deal with the commission before the estimates, let alone on this particular bill. I serve warning on the commission, not that I am going to spend every waking hour I have in concern about what the bill is about, but if the commission members want my confidence, and they probably do not give a good goddamn whether I have confidence in that commission, or whether my party has confidence in it, or whether this House has confidence in it—

Hon. Mr. Ashe: That is not part of my vocabulary. It is part of yours.

Mr. Renwick: Oh, come on. Will the member for God's sake go home. Will he go home, please?

Hon. Mr. Ashe: That is where you should have gone quite a few hours ago.

Mr. Renwick: Why does he not go home? Will the Minister of Revenue (Mr. Ashe) for heaven's sake go back to his office, revise the assessment procedure in the province, and leave the people in my riding alone? Just leave them alone. Just stay away.

Hon. Mr. Ashe: Somebody has to take care of them.

The Deputy Speaker: Speaking to the bill.

Mr. Renwick: Mr. Speaker, you know as well as I do that minister has a profound capacity for irrelevant interjection.

The Deputy Speaker: I found your remarks very interesting. I sat on that committee three years ago too.

Mr. Renwick: All I am saying is that, for once and for all, I want this bill to be dealt with adequately in the standing committee on the administration of justice. I am asking the minister to commit it to that committee and I am asking that the remarks I made about the commission be understood.

There is one small ray of light about the commission although there may be others that I have not discerned in the encircling gloom. It is interesting that one of the new commissioners is Mr. Jack Blain, who was formerly the counsel to the select committee on company law. At least he has some understanding of the processes of the assembly and it may well be that he or some other member of the commission can speak to the assembly with respect, knowledge and competence on what the commission is about.

I am not going to go on at greater length on the second reading of this bill. Those are my views on the bill. We will not oppose it on second reading. We will look forward to the debate in the standing committee on administration of justice some time in January or early February, just before this particular session of the assembly is over. Then we will have an opportunity on third reading to express our views. Whether they are relevant or irrelevant, or will make any difference to the world, we will let the future take charge of that.

The Acting Speaker (Mr. Cousens): I thank the honourable member. Does any other honourable member wish to participate in this debate? There being no other speaker, I call upon the Minister of Consumer and Commercial Relations, the Honourable R. G. Elgie.

Hon. Mr. Elgie: You said that so well, Mr. Speaker. It sounds so much nicer than "Order."

The Acting Speaker: You are supposed to be speaking to Bill 176.

Hon. Mr. Elgie: First of all, if I have inadvertently not communicated my feeling about the bill to my colleagues in both opposition parties, it is that I share their view. I feel as much an amateur as the member for Kitchener (Mr. Breithaupt) on this issue, perhaps more so. But, like him, I am very interested in it because it is a fascinating area and a very difficult one.

I am sure he appreciates, as does the member for Riverdale (Mr. Renwick), that securities law, complex and involved though it may be, is something that is always evolving and changing.

The commission and its advisers endeavour to respond to those changes in an appropriate way.

One thing we can say quite frankly and in all fairness is that the commission has gone out of its way to make sure there is firm and well-documented publicity about these amendments. If I may go back over the history, they were first published in December 1980. There was a general review, comments were received and they were then republished. Further comments were received and then there was a meeting with anyone who was interested for a lengthy discussion about each section. Finally, the results of those discussions were published in November 1982. Following my review and the introduction of this bill, they were published again this summer for comment.

As the member for Kitchener said, if you sounded out the industry, they would agree it has been a well-publicized bill. That does not make it any easier for us to understand it and I agree with the member for Riverdale about that.

I had always intended that the bill go to committee and I can assure members that I will be requesting that this bill be referred to the standing committee on administration of justice.

The member for Riverdale said that the issue of takeovers, which has, indeed, been the issue before the public in the press, was not dealt with in this bill. That is true. It will be of interest to him to know that a few months ago, the present chairman appointed a committee to look into the whole issue of takeover legislation. They came in with some preliminary recommendations. The member may recall that has become known, again in the jargon of the club, as "topping up the offer." They are continuing to prepare a lengthier and more detailed report with respect to the whole issue of takeovers. That is why it is not being dealt with in this bill.

The chairman and the commission felt other issues had arisen over the years that needed to be addressed; and although it is a very lengthy and in a sense a very complicated housekeeping bill, many of the sections spring from existing regulations in the statute. Having been tried out for a period of time in regulations, they are now being brought into statute.

10 p.m.

I am assured, and I can assure members, that there will be no hesitation on the part of the commission—I know its counsel is here this evening—to be present at those hearings and to go over the bill section by section in great detail. If there is any information we can provide beforehand, perhaps on a section-by-section basis, I will certainly ask them to get to work on preparing it.

Motion agreed to.

Ordered for standing committee on administration of justice.

MOTOR VEHICLE ACCIDENT CLAIMS AMENDMENT ACT

Hon. Mr. Elgie moved second reading of Bill 177, An Act to amend the Motor Vehicle Accident Claims Act.

Hon. Mr. Elgie: Mr. Speaker, this evening I would like to introduce for second reading, amendments to the Motor Vehicle Accident Claims Act.

As stated in the compendium that was provided with this bill, the principal purpose of the bill is to provide a mechanism whereby persons who have claims or judgements against persons who are insured by a designated insurer—for example, Pitts Insurance Co.—may apply for payments out of the motor vehicle accident claims fund. A designated insurer is an insurer which, in the opinion of the Lieutenant Governor in Council, is not paying or is unable to pay claims and which has by regulation been named as a designated insurer.

The amendments provide a procedure for making applications for payment out of the motor vehicle accident claims fund. The amendments also provide for the payment of an additional amount out of the fund where the minister receives final payment from the designated insurer in respect of a judgement that exceeds the limits of the fund.

Persons who have received the benefit of this new legislation will not have to repay the fund, and any amounts paid on their behalf, nor will they have their licences suspended because of such payments.

Mr. Breithaupt: Mr. Speaker, in the development of means with which to deal with insurance companies in this province that are not able to meet their obligations, we have certainly required some sort of bridge to protect the policyholders. That bridge appears to be one that connects those possible claims to the ongoing mechanism we have, and that mechanism, of course, is the motor vehicle accident claims fund, which is generally known, perhaps from its earlier title, as the unsatisfied judgement fund.

Under the motor vehicle accident claims fund it is required in this province to continue a form of coverage to deal with vehicles that may be

stolen, or involved in hit-and-run or unreported accidents or, indeed, that are involved in situations where the drivers or the vehicles have not been insured.

We recognize, of course, that we have compulsory automobile insurance in this province, and I am happy to have had some part in encouraging that during the involvement I had as chairman of the select committee on company law as we dealt with the enforcement of compulsory insurance in the second volume of our series of reports. In spite of the fact that we have compulsory insurance, it is necessary to have this formal opportunity to protect our residents of Ontario from those who even then do not become insured or who are otherwise involved as I have described.

We have had in Ontario in these last several years, unfortunately, circumstances in which companies—and Pitts Insurance, of course, comes immediately to mind—have not been able for a variety of reasons to properly meet their obligations for the coverage of insurance policies they had entered into.

We all recognize as we look at the increasing cost of insurance for motor vehicles that much of that premium depends on a variety of uncertainties the underwriter has to face. Those uncertainties are based on what parts may cost in a year or two down the line, how a jury or a judge sitting alone might deal with a variety of injuries, what sort of awards might be developed and a variety of other things that all lead to the underwriting formulas upon which premiums are based.

In looking at the premium calculation, the responsibility of the provincial authority—and indeed we have had a superintendent of insurance in this province for more than 100 years—has been to attempt to come to grips with the obligations of companies in the future to citizens who have paid premiums and who expect to receive a variety of coverages according to the terms of contracts.

That is really where the provinces come into this whole scene: not to attempt to set rates, not to attempt to describe in detail a variety of things a policy might or should contain, but solely to see that obligations entered into are responsibly and actuarially attended to.

I think that is a proper function for government: to make sure, when one is dealing with intangibles such as insurance coverage, that the purchase of protection is going to be properly accounted for, that reserves are going to be kept, that assets are going to be in the province and the variety of other things with which many members are familiar.

Unfortunately, we have had this experience where recently, because of underwriting and investment losses, a number of companies have been skating rather close to the edge of meeting their expected actuarial obligations in the next several years.

The increase in premiums is one way of dealing with some of this, and all of us are concerned about making sure any increases in premiums are justifiable as a result of expected and proven changes in cost structures, changes in award results and changes in repair, labour and all the other component parts that are particularly reflected in the automobile and the society that revolves around it.

As I said initially, in this bill we are attempting to find a mechanism by which a company that cannot meet its obligations will have payments to the policyholder protected and insured. That insurance almost comes from a source of last resort.

As the members are aware, in our motor vehicle licence fee, which traditionally has been $3 per year, $1 of that $3 goes to provide funding for the motor vehicle accident claims fund or, now that we are on a three-year renewal situation on our particular birth dates, $3 of the $9 goes to this fund to protect people against the variety of hazards I have outlined before.

Those hazards exist whether a person happens to be insured or not. It is a means whereby the drivers of the province are each making a very modest contribution. Even a dollar is not what it used to be in this province or anywhere else in the world, but that modest contribution clearly adds up to millions of dollars available to take care of these kinds of obligations. That is what insurance is all about. They have the opportunity of a small contribution from many people, providing a fund from which those who suffer losses are able to receive some form of compensation.

What happens when the contract is not honoured? Here we have the opportunity in this legislation to correct that particular theme, an unfortunate one but one whereby, whether it be a mutual company that has built up its capital over a variety of better-earning years, or a shareholders' company the contributions to which have been made through investment, if that company cannot meet its obligations and that capital is lost or otherwise committed, it is surely up to us where we have required compulsory insurance to ensure the result of that

insurance will be that people will receive the appropriate coverages that have been entered into by contract.

10:10 p.m.

I commend the minister for bringing forward this legislation so that if there are unfortunate losses through undercapitalization or through the default of corporations in the future, we will have the ability to deal with the claims that can be made appropriately by the persons who believed they were fully insured and who paid premiums to attend to that.

I will not ask the minister to attempt to deal with an explanation of the formula that appears at the bottom of page 4, where A equals J minus F in brackets times R over J. It is something with which many of the members of the House are intimately familiar, and I do not think his explanation would add much to our knowledge of the details at this point. These particular calculations of payments out of the fund, and other matters, have to be referred to in the same way that the various mechanical abilities of axles to carry certain weights must necessarily find their way into the Highway Traffic Act.

The amendment with respect to the clarification of the $100 deductible provision is also something that should be attended to, so that everyone realizes it applies only to claims related to property loss and damage. We welcome this bill in that it does clarify a particular point of insurance law which again, as it comes before this House, brings its own language, its own jargon, in the same way the Securities Act does.

As I recall, in some 77 bills for which this minister is responsible, it seems almost each one of them has its own peculiar language, its terms of art or terms of practice, and a very particular involvement in detail, whether dealing with business brokers or stuffed animals or the safety of energy transportation, a variety of themes that I dare say even the minister, in the best of his goodwill, has not fully come to grips with. Certainly those of us in the opposition, even as critics for the ministry, have had time to ponder all the varieties that deal with everything that ministry has as its responsibility.

We welcome this bill. It is an important thing to ensure that the people of this province are protected in this particular circumstance, which is a most unfortunate one. It will lead as a result not only to better legislation but also to ensuring that the coverages that have been contracted for will be attended to.

Mr. Swart: Mr. Speaker, I rise to support this bill on behalf of my party, but I do not support it with the enthusiasm the member for Kitchener (Mr. Breithaupt) shows. I support it with some pretty severe reservations that I will mention as we go along.

On the surface, this bill carries out the promise the minister made to this House around the time the Pitts Insurance Co. became insolvent. I commend the minister for carrying through, for tabling the bill, and for seeing that it has some priority in the business of this House.

Certainly on the surface it provides some assistance, some security, to people who have their insurance with an insurance company that is no longer solvent. It carries out the promise of the minister so that a motorist who is involved in an accident with another motorist, who has his liability with an insurance company that cannot pay the claim, will have his claim paid.

I want to say to the minister too that we welcome the fact this is retroactive and retroactive for a good number of years, almost ad infinitum. It goes back many decades for claims that have not been settled and on which the insurance company is no longer able to pay those claims.

I do not suppose we really have any argument with the proposal that claims prior to 1977 have a limit of $100,000 rather than the present $200,000, for a variety of reasons. That seems to be fair. Of course, if we go back to before September 1969, the maximum payment is $50,000, which probably represents the true situation as existed at that time.

I also welcome the provision that it may not be necessary in many instances to sue the fund. The payments will be made as long as it is verified by the insurer or the person acting on behalf of the insurer. That all sounds very good.

There is a growing need for this. I have here an article from the Toronto Star, which I am sure the minister will have seen, dated October 21, 1982, in which the headline is, "Some Insurers Don't Pass the Tests: Consultant." The article beneath it states:

"A prominent consultant says the solvency of some general insurers is so precarious that buyers should be seeking written assurances from their brokers. Peter Armour, who advises big corporate buyers of insurance, said he would avoid some companies that are still on brokers' approved lists and suggests hard-nosed consumers—whether buying home, car or business insurance—should be asking about a com-

pany's solvency rating in a new report on federally registered companies."

Then it goes on to list the three companies that have become insolvent.

The article continues to say that something like 10 per cent of the companies now operating do not pass all the tests which this consultant says determine whether they are companies that are very solid financially.

There is no question that protection is needed as never before for motorists who will have done their duty in providing protection for themselves and other motorists but who find, when they come to collect, that their insurance company is no longer solvent.

There is very real need. As the member for Kitchener said, it is a trend in this province, and I guess I would say it is a very desirable trend, to provide some kind of protection to consumers against companies—with which they are doing business or have paid in funds and which by their very nature do not give out the services immediately—against those companies going broke, or becoming insolvent, before they collect from them.

We have the Ontario travel compensation fund which was set up by the government. I think that was a desirable move. We now have a bill before this House to establish the motor vehicle dealers compensation fund. In both of those areas, within certain limits, there are guarantees given that the consumers will not be left, in the vernacular, holding the bag because the company with which they were dealing has gone broke.

This is desirable legislation and it is needed. But I want to point out that it is needed only because of the inadequacy of the auto insurance system we have in this province. That is the only reason.

It is not necessary to have this kind of a bill in Saskatchewan, Manitoba or British Columbia, where there are public auto insurance plans. The public auto insurance plans in those provinces were instituted by New Democratic Party governments and, incidentally, kept by the Liberals and Conservatives and Social Credit because they were so effective, and they had to make those promises at election time that they would not disband their public auto insurance systems.

We would not need this bill if we had that kind of system. It is a crutch to a crippled system. What we should be doing in this province is changing the system to the provincially operated type in Manitoba, Saskatchewan and British Columbia.

10:20 p.m.

Mr. McClellan: The first step is November 4.

Mr. Swart: Yes, the first step in this direction is November 4, and the people of this province can expect, when they get an NDP government, that they will get a public auto insurance plan like the ones they have in Manitoba, Saskatchewan and British Columbia, a program that will save hundreds of millions of dollars for the people of this province over a period of a very few years.

It does not matter whether we are talking about premiums. In those plans out there, the premiums are lower for the same coverage and yes, the same conditions too.

Mr. McClennan: The minister knows that is right.

Mr. Swart: Yes. And if he does not know it is right, all he has to do is read the report of the select committee on company law from 1978, where the government's own people reported on the effectiveness and the superiority of the public plans in Manitoba, Saskatchewan and British Columbia.

They pointed out, for instance, that the administrative costs of operating the plans in those three provinces are far lower than they are here in Ontario and in the other provinces where they do not have the public systems.

On page 93 of that document of the select committee on company law in 1978, on the insurance industry, the second report on automobile insurance, it pointed out in table 5 the apparent spread of operating costs between a government insurance system and private industry in Ontario. Total estimated operating costs as a percentage of premiums earned: 21 per cent in the government system and 41 per cent in the private system, a 20 per cent differential.

It does not matter whether one is talking about the lower premiums or a faster settlement of claims because of the public system, this is all documented and there is no question about it. In fact, it does not matter whether one is talking about no-fault auto insurance, which this government adopted to some extent 20 or 30 years after they had it in Saskatchewan, instituted by the NDP government there, or whether one is talking about this type of a bill to protect the public.

It does not matter which of those one is talking about. If we had a comprehensive, provincially run auto insurance plan such as

they have in those three western provinces, we would not need this bill; we would have a much better system.

In the New Democratic Party we are sometimes accused of encouraging bureaucracy and all that sort of thing. Those auto insurance plans in western Canada, apart from being so much more reasonable and providing service that is so much better, do away with a lot of the bureaucracy such as the minister is bringing in here. My God, the administration of this fund is likely to cost hundreds of thousands of dollars a year; that is a very real possibility with the situation we are in.

I repeat: this bill is necessary only because we have an inadequate automobile insurance system; there is no question about that. The minister is propping up a system that is pretty ineffective and pretty costly.

Another fault or shortcoming of the bill is the fact that it covers only certain types of damage or injury: third-party liability. Is that not right? The situation is, then, that a great many automobile owners are going to be involved in accidents who will get no settlement because it is a collision.

You can have a situation—in fact, I have already had one in my area—where a person came to see me about Pitts Insurance. He was involved in a collision in which substantial damage was done to his car; of course, that is not going to be covered under this bill.

If the minister really believes in no-fault insurance, why does he exempt that classification? A person could be involved in a collision; he could slip on the ice, go in the ditch and demolish a $10,000 car. He could be fairly seriously injured himself so that he is unable to work for a period of time. He could have losses in the neighbourhood of $15,000, $20,000 or $25,000, maybe even up to $50,000, and he would not be covered under this bill.

That is not the pattern the minister has been following with the other bills. Surely he must be aware of that under his travel compensation fund you do not compensate some people and not others, yet here the minister has a bill before us that does that under the Motor Vehicle Accident Claims Amendment Act, the bill that is before us. In his bill to establish a motor vehicle dealers compensation fund there is no proposal to exclude certain groups. Why does the minister do it here?

I know there will be additional costs to it, but those costs are not that great. The minister will be aware that the majority of insurance claims that are paid out to motorists are paid under the bodily injury and property damage third-party liability.

The document I have before me, which actually documents the 1981 automobile insurance experience, shows the actual loss ratio experience for private passenger automobiles, excluding farmers, in Ontario. The claims paid out under bodily injury and property damage were $562 million. Any claims under that particular section, as I understand this bill, will be covered.

But some $66 million was also paid out in accident benefits, and that will not be covered under this bill. Under collision, $259 million was paid out. Sure, that is only half as much as was paid out for bodily injury and property damage, but why should those people not be entitled to that? If their car is damaged to the tune of $5,000 or $10,000 and they have had collision insurance, why should they not be covered under this compensation bill? Why make fish of one and flesh of another?

Under comprehensive coverage, $135 million was paid out in Ontario last year. They will not be covered under this bill for that.

I repeat: there can be motorists who have adequately provided protection for themselves and paid the premiums for that, very high premiums, who now may collect nothing under this bill the government has before us this evening.

On motion by Mr. Swart, the debate was adjourned.

The House adjourned at 10:30 p.m.

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UNIVERSITY OF TORONTO

Second Session, Thirty-Second Parliament
Thursday, November 4, 1982
Afternoon Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Thursday, November 4, 1982

The House met at 2 p.m.

Prayers.

TAX BURDEN

Mr. T. P. Reid: On a point of order, Mr. Speaker: On Tuesday in the House I asked the Treasurer (Mr. F. S. Miller) a question about the retail sales tax as it related to takeout food services in Ontario. I have now had an opportunity to look at the Instant Hansard in regard to that. You will recall that the Treasurer indicated in response to my question about the decline of sales in Ontario's fast-food outlets that Ontario sales were not down, that they were in fact up by 8.7 per cent.

The Treasurer may well have been referring to the industry as a whole, while my question was directed to that segment of the industry that had been seriously damaged by the imposition of the seven per cent retail sales tax, namely the takeout restaurants. The Treasurer, in choosing to compare the entire industry to this one sector, was comparing apples and oranges, since my question dealt with a sector that had been hit with a new tax while the Treasurer was comparing it with the total picture, some segments of which have been given a tax reduction, mainly the higher-priced dining establishments.

In choosing to answer in this manner, the Treasurer did not deal with the specific question. I rise to point out this error of gross proportions.

Mr. Speaker: I must point out to the honourable member that it is not a point of order.

Mr. T. P. Reid: It is a good point, though.

Mr. Speaker: It is a matter of opinion, I guess.

Hon. F. S. Miller: Mr. Speaker, am I not going to be allowed to respond to that?

Mr. Breithaupt: If you were, what would you say?

Hon. F. S. Miller: If I were responding I would point out that I was answering some of the comments made by his leader, not specifically the member.

Mr. Speaker: How many times must I point out that you should not pay attention to interjections?

NATIVE RIGHTS

Mr. Peterson: Mr. Speaker, on a point of privilege to correct the record: On Tuesday, in response to my question regarding the mediation process between the government and the Whitedog Indian band, the Premier (Mr. Davis) gave this House information which I know to be inaccurate and misleading.

In reply to my question, which stated that not one major issue has been resolved between Ontario and the Indian band, the Premier indicated that progress has been made. He stated: "I do not think the Leader of the Opposition is correct. Some issues have been resolved." The facts indicate otherwise.

According to information given to me today by the negotiator for the Whitedog Indian band, there were six major items put to Ontario as their share of an overall settlement in the mediation discussions. The six issues were: (1) a 21-year wild rice licence; (2) restrictions on development in the isolated area of Ontario north of the reserve itself; (3) a request for an automatic arbitration process should development in the area immediately around the reserve harm the community as it did in the 1958 Hydro flooding and the 1960s Reed Paper Ltd. mercury emission; (4) children's group homes to repatriate the 50 children now scattered throughout Ontario; (5) a financial contribution by Ontario along with one from Canada, Great Lakes Products and Ontario Hydro to a job creation fund; and (6) discussions regarding commercial fishing opportunities.

As of November 3, 1982, not one of these major issues has been resolved. Moreover, while little progress has been made with the province, even the pending Ontario Hydro settlement is being held up because the province refuses to ensure that rice growing within the confines of the new reserve will be considered the property of the Whitedog band.

The confusion within the government is highlighted by the fact that while the band negotiators were told by the Minister of Natural Resources (Mr. Pope) to refer the matter to Ontario's negotiator, when he called to determine to whom he should be speaking he was told, "We

do not know who is handling the Ontario negotiation."

Further, the Premier responded that progress is being made on the wild rice issue and that he had arranged to meet with Chief Kelly two weeks ago. I wish to draw to the Premier's attention that Chief Kelly is not the chief at Whitedog, never was the chief at Whitedog and never will be. He is the chief of Treaty 3, which is not and never has been involved in the mediation process. Isaac Mandamin is the chief of Whitedog. The discussions on rice with Chief Kelly are unrelated to the mercury mediation that commenced in 1978.

Ontario agreed to the terms of the Hartt royal commission which emphasized the critical need for immediate assistance to Whitedog in view of the mercury pollution and the resulting unemployment. Ontario has not met with the Whitedog band on the rice licensing question since March 1982, over eight months ago. I am concerned that for the Premier to assert that progress has been made after almost four years of negotiation creates a false impression.

Mr. Speaker: Order. I must point out to the Leader of the Opposition that is not a matter of privilege which he has raised, and I must further point out to all honourable members they may rise to correct their own remarks on the record but cannot rise to correct another member's remarks.

Mr. Peterson: Mr. Speaker, this is a new ruling in my opinion. You may have an interpretation that I do not understand.

Mr. Speaker: I would suggest the Leader of the Opposition could more correctly place those questions to the Premier or to others at the proper time.

Mr. Peterson: I am sure if the Premier was misinformed he would want to know about the situation.

Mr. Speaker: Order please. Your privileges have not been abridged in any way.

REMARKS BY PARLIAMENTARY ASSISTANT

Mr. Roy: Mr. Speaker, I have a point of privilege: On Tuesday last in this assembly, pursuant to Bill 150, the Municipal Amendment Act, a discussion took place between the member for Ottawa Centre (Mr. Cassidy) and the member for Wilson Heights (Mr. Rotenberg), the parliamentary assistant, about various municipalities enacting and publishing bylaws allowing the use of French in the municipalities.

2:10 p.m.

The member for Ottawa Centre was raising certain objections and the member for Wilson Heights said as follows: "I see Mr. Cassidy's point. You can have the redneck people in Vanier who would not allow English, but I don't think you would." This quotation is in both French and English. I have reviewed the Hansard and there is discussion about the bill but this quotation does not appear to be in Hansard.

I would invite the member for Wilson Heights to correct this impression, because if there is one place in Ontario which has been a very tolerant municipality it is the municipality of Vanier, which is probably 75 per cent French-speaking and throughout has allowed the use of both official languages in that municipality. So to use the word "redneck" in reference to Vanier was very unfortunate, indeed, and should be corrected.

Mr. Speaker: The honourable member is not in his chair and therefore cannot respond to that. However, I have very serious reservations, if it did not appear in Hansard, whether it was stated in the House or not. I have not seen the article. We will take it under consideration.

[Later]

Mr. Rotenberg: Mr. Speaker, earlier today, the member for Ottawa East (Mr. Roy) raised a point of privilege in which he read alleged quotes from myself which he said he could not find in Hansard.

First, to make it very plain and clear, these quotes were not in Hansard because the alleged quotes were not made in the House but were as a result of an interview I had with two reporters outside of this chamber after the House had recessed at six o'clock on Tuesday. To correct any impression, these quotations were not in Hansard because they were not made in the House.

Second, also in order to correct the record, the two quotations, one in English and one in French, are somewhat different. Between them they are almost accurate. In discussing a question from reporters about English and French being made mandatory or permissive within municipal councils—and I indicated it was the government's decision that it would be permissive to a council—one of the reporters asked me the direct question which is not quoted in either story.

To quote from the reporter, she said, "What if

you had a redneck in Penetang who tried to forbid French in that municipality?" It had nothing to do with Mr. Cassidy's point as the English language newspaper indicates. As Mr. Roy said, I replied, "That would be like saying you could have a redneck in Vanier who would try to disallow English, but I do not think that would happen."

The French version uses three dots and does not include my qualification, "I do not think that would happen." The English version has, "I do not think that would happen" but got the quotation wrong. In the next sentence, which neither newspaper included, I said I had confidence that our municipal councils would not do this sort of thing.

If there is any doubt—and the member for Ottawa East has raised it—that I in any way was accusing anyone in Vanier of being redneck, it was quite the contrary. I was trying to indicate that it would be a silly notion to say there would be rednecks in Vanier, that I did not think there would be; in the same way that it would be a silly notion to say there would be rednecks in other parts of the province.

To the member for Ottawa East, if anyone in Vanier felt I was accusing him of being a redneck, I did not, I did not mean to, and if there is any doubt I apologize to the people of Vanier. I indicated quite specifically I did not think there were rednecks in Vanier.

Mr. Wildman: If there are any rednecks in Vanier you would know them.

STATEMENTS BY THE MINISTRY

INSURANCE EXCHANGE

Hon. Mr. Elgie: Mr. Speaker, I am pleased to announce today a rather exciting initiative. Cabinet has approved in principle the establishment of an insurance exchange in Toronto. In preparation for that event I will be appointing a committee to study the proposal and to prepare an implementation plan within six months.

We are indeed fortunate that an individual with a distinguished career in the insurance industry, Colonel Robert Hilborn, has agreed to serve as chairman of that committee. Colonel Hilborn is here with us today in the Speaker's gallery and I would ask that he stand and be recognized.

Colonel Hilborn brings more than 20 years of senior level experience in the insurance industry to this position. He has long been recognized at both the underwriting and brokerage levels as a leading spokesman and educator for the surety industry in Canada and the United States. He served as the first Canadian president of the National Association of Surety Bond Producers in Washington in 1973-74, and was also a director of the Toronto Insurance Conference.

Under Colonel Hilborn's direction, the main work of the committee will be to review and report on experiences in other jurisdictions where insurance exchanges operate; to invite comments from informed members of the industry and financial community on the concept of an Ontario insurance exchange; and to consider the tax, legal and Federal Investment Review Agency implications for the establishment of an insurance exchange.

The objective of the committee will be to submit a detailed plan of a legal and marketing framework for a Toronto insurance exchange and its implementation.

As you may already be aware, Mr. Speaker, an insurance exchange is designed to provide a centralized market facility where the risks associated with insuring a high-risk enterprise are shared by member underwriters for a price negotiated on the floor of the exchange. The idea is not a new one: Lloyd's of London has operated successfully as such an exchange for the past 290 years. It is a place where large risks can be shared, difficult risks placed and new and unusual risks covered by insurance.

In the United States, a determined effort has already been made to recapture premium dollars going abroad. An insurance exchange was established in New York in 1980 to provide US insurers with an alternative to Lloyd's of London. Another exchange was established in Chicago in 1981 and a third is now planned for Miami. The reason is simple. A local insurance exchange helps reduce the tremendous outflow of insurance premium dollars to foreign markets.

In Canada alone, we estimate that more than $1 billion worth of direct and reinsurance premiums leave the country annually. In addition, many general insurance risks of a large nature are placed outside Canada on either the Lloyd's market or the New York market. For example, one of the first items of business on the New York Insurance Exchange was the insurance for the Alberta pipeline project.

Establishing an insurance exchange in Ontario should in time reduce this huge outflow of Canadian dollars and at the same time strengthen Toronto's position as a major financial centre, raise the visibility of Canadian insurance companies and attract fresh investor capital. I perceive such an exchange operating as a self-

regulating group with a minimum of government regulation, another example of how government and industry can work together.

SALE OF RENTAL UNITS

Hon. Mr. Elgie: Mr. Speaker, I would like to report to the House on my meeting with Mr. Leonard Rosenberg, president of Greymac Credit, the company which is acquiring approximately 11,000 rental units from Cadillac-Fairview Corp.

I was advised that the financing of this transaction will be carried out with domestic funds and, as members are already aware, the purchase price is $270 million. On average, that would appear to be a price of between $24,000 and $25,000 per unit. Greymac will have a 15 per cent equity in the properties. It will be assuming the existing first mortgages and financing the balance with second mortgages of approximately $110 million at a floating interest rate of 0.5 per cent over prime.

In response to my expression of concern about the ability of Greymac to adequately maintain this portfolio, I was advised that Greymac is arranging to acquire the Cadillac-Fairview management staff and it is anticipated that the corporation will be able to maintain the same level of maintenance using the same personnel who have been in charge of this function over the years.

It was also revealed that any major defects existing at the date of closing will be repaired by Cadillac-Fairview at its own expense within six months of closing. Other improvements to buildings would be carried out by Greymac Credit.

From this review of the transaction, it would appear to me that the financial arrangements are fair and reasonable given the current economic circumstances. It is clear from Mr. Rosenberg's comments, however, that should an attractive offer to purchase be made to Greymac, it would seriously consider it. This clearly demonstrates that the impact of resales which take place within a short period of time after the original purchase must be one of the issues that is examined as we review the adequacy of our rent review process in this province.

Recognizing that such a review is an urgent priority of this government, I have been giving much thought to the mechanisms needed to evaluate the ongoing issues and complaints related to rent review in a balanced, yet sensitive way. I expect to have further comments for the House on my plans for such an examination of these issues next week, or at the very latest at the beginning of the following week.

ORAL QUESTIONS

SALE OF RENTAL UNITS

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations with respect to the statement just issued. Did the minister ask Mr. Rosenberg how much the rents in those buildings will go up to finance the purchase and what his calculation is about the potential effect of the rental increases on those tenants? How much are we looking at in the next one, two and three years?

Hon. Mr. Elgie: Mr. Speaker, I did inquire into that. As the Leader of the Opposition will appreciate, it is not an easy question to answer. Many of the units are different and the value placed on them is different.

I am told that on average the rent for these Cadillac-Fairview units runs at approximately $400 a month, some well below and some well above that. I can only take out my pocket calculator, as the member can, but assuming it is $110 million and interest rates are running today at, say, 15 per cent—and again this does not apply to each unit, because some will be lower and some will be higher, and this is only our own estimate—it works out on average that approximately $10,000 would be applied to each unit. The interest on that, since it is being paid only on the six-year second mortgage, would work out to something in the neighbourhood of $1,400 to $1,600 a year. If that were phased in over three years, you are looking at something like, on that average rent, roughly $30 to $35 a month.

2:20 p.m.

Mr. Peterson: Just so I understand very clearly, is that the minister's official calculation, his back-of-the-envelope mathematics, that he has just given us? Or has he asked Mr. Rosenberg what he is going to do with those rents; what he is going to be asking from those tenants; what will be going to the rent review board? Is the minister telling us it is $30 on $400, which is less than 10 per cent, or is he telling us it will be more than that?

We want assurances from the minister that he has looked into this matter and can tell the people who live in those units what to expect from this purchase. The minister's response off the top of his head is not very satisfactory. Or is he telling me that this is the official ministry

position and the official Greymac position on rent increases?

Hon. Mr. Elgie: I know we all live in this House of confrontation and we have to do things for our own reasons. But the Leader of the Opposition knows very well that the second mortgages will be allocated to different buildings in different proportions and that the rents will vary according to the particular amount of mortgage applied to each building. I cannot give him or anybody any guarantee with any certainty as to what rent increases will be. The member knows that and he knows that is exactly what the rent review process is there for: to evaluate rent increases and to make sure only legitimate cost pass-throughs occur.

For the member to demand that I give him the figures right now is absolutely ludicrous. It depends on how the mortgages are apportioned and if there are any other costs involved in the servicing of the buildings. I do not know that. We are talking about my own estimates of what that second mortgage will result in on average. There will be some below it and some above it, and there may be other things depending on what operating costs are. I do not know those things. I am not part of the transaction.

Mr. Peterson: The minister should know.

Hon. Mr. Elgie: The Leader of the Opposition knows very well that I have no authority to require people to tell me those things, but the president of the company was good enough to come in and talk to me and give me the information he did.

Mr. Renwick: Mr. Speaker, if I heard the minister correctly, he referred to Greymac holding 15 per cent of the equity. I did not hear who was going to hold the other 85 per cent.

Is it the minister's belief that Greymac has a present honest intention of retaining those properties, or is it simply going to pass them through to the first available buyer with a more favourable offer?

Hon. Mr. Elgie: Mr. Speaker, I apologize if the statement was not clear; I thought it was. I said the equity involved in the down payment would be 15 per cent, there would be an assumption of existing first mortgages that are allocated among the various buildings in various amounts and there would be an additional second mortgage, again allocated and divided among the various buildings, of approximately $110 million.

I can tell the member nothing more with respect to his second question other than what I did in the statement when I said, "It is clear from Mr. Rosenberg's comments that should an attractive offer to purchase be made to Greymac, they would seriously consider it."

Mr. Peterson: I think this matter raises more questions than it answers. The minister himself is unhappy with the rent review board dealing with these questions and is going to announce to this House next week or some time in the future that we are going to have to look at some of the issues with respect to resales and the percentage of financing to be passed through over what period of time.

Frankly, I do not think the minister has been presented with all the information—at least he does not appear to have been—and because of the monumental consequences of this sale on so many people the minister could easily have asked for schedules of the rent increases that will be necessary in order to finance it.

Mr. Speaker: Supplementary, please.

Mr. Peterson: The minister cannot tell me that Greymac does not have that information. He should have asked for it. If the minister is not prepared to ask for it, why does he not call a committee hearing of this House, let the whole matter be reviewed and allow his back-benchers, in conjunction with other members of the House, to look at this in all of its implications and use the lessons learned here to come up with constructive proposals on how to improve the rent review legislation? Surely that is reasonable in the circumstances.

Hon. Mr. Elgie: I can only reiterate what I said very clearly in the statement today. The government considers the issue of a review of the complaints and certain issues with respect to rent review to be an urgent priority. I will be bringing further information to the House, not on some vague, distant, future occasion as the member is trying to suggest, but either next week, which he knows is a very short week because of the—

Interjection.

Hon. Mr. Elgie: Stop nibbling away and just listen. It will be a very short week. If it is not possible to do it in that short week, then it will be at the beginning of the following week. But do not try and leave some vague London impression around that things are off in the future. We are talking about here and now.

For the member to try to imply he is the only wonderful one concerned is a myth. It is as though he is living in Alice in Wonderland. If he does not think that every member in this House

is deeply concerned about the anxiety that tenants faced with rent increases must be feeling, then he is living in another world, and I do not believe he is. I think he is right here and he knows that is happening here in this House.

Mr. Peterson: For a while we thought the minister had promise. He is just like the rest of them.

CHRYSLER NEGOTIATIONS

Mr. Peterson: Mr. Speaker, let me ask a question of the Minister of Labour, in the absence of the Premier (Mr. Davis). I am sorry the Premier is not here to respond to this because I know he would be concerned about this question.

Can the Minister of Labour kindly bring this House up to date with respect to the Chrysler negotiations? What does he expect will happen tomorrow; what has been the extent of his involvement in that question and does he see any promise?

Hon. Mr. Ramsay: Mr. Speaker, my ministry has been monitoring the situation and it has been in regular touch with the negotiators for the United Auto Workers. Meanwhile, this morning my colleague the Minister of Industry and Trade (Mr. Walker) met with the Canadian president of Chrysler. The situation is certainly not promising, yet it must be borne in mind that in automotive negotiations over the years it has been traditional for them to go down to the wire. That happened earlier this year in the case of General Motors and again with Ford, so there is still hope that a solution can be found before the deadline tomorrow.

Mr. Peterson: I very much hope the minister's optimism is going to be justified.

I had an opportunity this morning to talk to both Mr. White and Mr. Closs, and I desperately hope there is some room to move in this particular question. I am sure the minister is aware of the unemployment figures in Windsor at the present time: currently 17,000 people unemployed. This strike could push the unemployment rolls to well over 20 per cent in that city. Since 1979 we have lost some 45,000 auto industry and related jobs. It is the largest job loss ever experienced and most of these layoffs are for indefinite periods.

He is aware of the complete tragedy in this situation. I am asking the minister to ask the Premier to intervene in this situation this afternoon to prevent this insanity.

Hon. Mr. Ramsay: Members on all sides of this House are terribly concerned and are worried about the circumstance. We all know what the results would be if there were a work stoppage tomorrow. In regard to talking to the Premier, he is well aware of the circumstances and is being briefed regularly. Again, if I may refer to my colleague the Minister of Industry and Trade, I believe he just left the Premier's office and he may want to respond to the member's question.

2:30 p.m.

Hon. Mr. Walker: Mr. Speaker, it is true this matter is occupying a significant amount of time on the part of both the Minister of Labour and myself, in addition to that of the Premier and his office and undoubtedly of the two bargaining teams.

There have been some very high-level discussions, as the Leader of the Opposition is well aware from his discussions this morning with the gentlemen he mentioned. Last night the chairman of Chrysler Corp. was in Toronto and met with Mr. Bob White on the matter. There is an agreement for continuance of discussion, as I understand the situation.

If there is anything we can do to resolve the problem, we are certainly pleased to be a part of attempting to resolve the problem. We have to recognize, though, that there is a deadline that is fast approaching and that there does seem to be an intent on the two parties to reach that deadline and to have the deadline go by with the strike having occurred.

In respect of the jobs that are outstanding and the jobs that may be displaced in the process, I have to say that the action at least on the part of either management or labour is an avoidable type of situation. It is in the hands of either the representatives of the union or the representatives of management to avoid this kind of situation; they are the ones who are capable, to the extent that they can, of avoiding any job loss that may occur.

In the event that a strike does occur, I have to say that our reading of the entire Chyrsler Corp. situation, at least as it exists in the Canadian framework, shows that there is a fragility to it that cannot be ignored. It is this fragility that has to be kept in mind by management and labour as they approach this wire tomorrow.

It is undoubtedly something that is causing us grave concern. Nobody wants to see a strike. As

I perceive the discussions with representatives of labour and with representatives of management, nobody wants to see a strike, least of all the people of Windsor, least of all the people of Ontario, and of course the net effect will be very devastating.

If a strike does occur, it is my understanding that some 6,000 people in the United States will be laid off immediately, and it is my further understanding that notice has been given to them today of a Monday departure. So there well could be 6,000 people out immediately there.

Because of the world mandate that relates to certain products made here in Canada, such as pistons and trim, this will mean that the entire system could well be tied up.

It must be kept in mind that the entire operation of Chrysler may hinge on the efforts put forward by management and labour to reach a proper reconciliation of this matter. If there is anything we can suggest to the representatives of either side at the moment, it is to take some time to think about their actions.

Some time has been taken in the United States to delay the matter until January 1, 1983. I would like to hope that the representatives of management and the representatives of labour would realize the value of perhaps deferring this strike deadline until a time that is in unison with that of the US workers so that, accordingly, there would be at least a joint effort there. That would avoid the Canadian operation being put into the unenviable position of perhaps destroying the plant, the entire operation, the entire corporation and all plants across North America.

I think it is incumbent, as a plea made to management and as a plea made to labour, to seriously consider the ramifications of the actions that they may take. It may not be possible to recover from whatever actions may occur.

Mr. Wrye: Mr. Speaker, I am not sure whether to place this final supplementary to the Minister of Labour or to the Minister of Industry and Trade.

Mr. Speaker: It should be addressed to the Minister of Labour; if he wants to redirect it, he may.

Mr. Wrye: The minister has just heard his cabinet colleague talk about the fragility of the company, and I believe all parties will agree that it is in everyone's interest that the company survive. The minister understands that, despite his colleague's personal plea of just a moment ago for perhaps a deferment, the union has already indicated it will not follow that step.

If a strike should occur tomorrow, will the minister still not use his good offices to recommend to the Premier, before this strike moves too far, that the Premier perhaps take a look at calling in the top negotiators for both sides and sitting down to explore with them the issues in dispute, with a mind towards seeing whether they cannot resolve what could be in the short run a tragic situation for the workers, obviously, and for the community that I come from, and in the long term—and I think the Minister of Industry and Trade and everyone else is aware of the tragic situation—for the whole company.

Hon. Mr. Ramsay: Mr. Speaker, "tragic" is a very apt description of what the situation would be if the work stoppage occurred tomorrow, not only for the workers of Chrysler and the communities in which their plants exist but also, because of the ripple effect that would be felt throughout this entire province and throughout this country, for Chrysler's numerous suppliers of goods and services.

Let me assure the honourable member, in direct response to his question, that no stone will be left unturned by this government to try to get the parties together. We are very fortunate in this respect that there are excellent lines of communication between the United Auto Workers and the Premier as well as between the management of Chrysler and the Premier. No one will be sitting idly by watching this develop over too many days. I can assure the member of that.

HYDRO RATES

Mr. Foulds: Mr. Speaker, I have a question for the Minister of Energy, who knows that Ontario Hydro, at the request of the government, has deferred its plan to implement time-of-year rates, which would have charged higher electricity rates in the winter than in the summer, thus discriminating against northern Ontario.

Can the minister assure us that, in spite of the Ontario Energy Board's approval of that discriminatory principle, the government's policy will not merely defer the implementation of that principle, which discriminates against the north, but will also ensure that Hydro does not reintroduce this pricing practice in the future?

Hon. Mr. Welch: Mr. Speaker, perhaps the honourable member will recall that the communication between the government and Hydro was that, in view of the present economic situation and in an effort to really assess what

the impact of this would be, they would defer the implementation of new costing and pricing principles to provide more opportunity to review what the actual impact would be. That is what I would expect Hydro to do: to give that some consideration and to reflect upon it prior to making their application in so far as the 1984 bulk rate is concerned.

Mr. Foulds: Will the minister not assure this House that, as a matter of policy, the government will insist that Hydro not engage in the mafia economics they used in making their submission this year; and will he state clearly that his policy will not allow them to make a submission to the Ontario Energy Board which discriminates in pricing against northern Ontario?

Hon. Mr. Welch: I am speaking to the general principles of costing and pricing. The existing costing and pricing principles are those that will be applied in so far as the distribution of the new bulk rate for 1983 is concerned.

I have suggested that Hydro should review the impact of making any changes. In fairness, having asked them to defer and to share with me what their findings are, we will have plenty of opportunity to measure what the rates would have been under the new principles and what the rates are under the existing principles to see exactly where equity might ultimately lie.

In all fairness, the member should recognize that the government did ask Hydro to defer moving into the new costing and pricing principles in order that we might review what the impact would be, particularly in these times.

Mr. Conway: Mr. Speaker, in view of the fact that many of us represent ridings in northern and eastern Ontario where this time-of-use rate is very controversial and quite unacceptable, I am wondering whether the Minister of Energy can indicate whether the very distinguished Progressive Conservative member for Sudbury (Mr. Gordon) was speaking for the government of which he is so prominent a part when the Sudbury Star of Wednesday, October 27, 1982, reported on its front page: "Sudbury MPP Jim Gordon said that this time-of-use rate was 'a try by Hydro at mafia economics.' "

Can the minister indicate whether his distinguished colleague the member for Sudbury was speaking on behalf of the government when he accused Ontario Hydro of engaging in mafia economics in this time-of-use rate matter?

2:40 p.m.

Hon. Mr. Welch: Mr. Speaker, to put this matter into some context: First, the whole question of costing and pricing principles has been the subject matter of public hearings before the Ontario Energy Board for about four years; so there has been plenty of opportunity for all sorts of input.

Second, the Minister of Energy spent 10 hours downstairs in committee in the last week or so. I do not recall anybody dropping in during that time to talk about time-of-use rates or costing and pricing principles.

Third, I know of no member in this Legislature who has done more than the member for Sudbury to make quite clear to all of us in this House the impact of any policies that might have a negative result. He has been championing many causes in the Sudbury area.

Mr. Martel: Mr. Speaker, might I quote the rest of the statement and then ask the minister a question? "Ontario Hydro's attempts to prove it needed the new rate structure were what Gordon called a try at 'mafia economics.' According to Gordon, Hydro tried to take its most inefficient plant and prove that its costs were typical of all Ontario Hydro plants."

First, is it correct that Hydro attempted to do that? I hope the minister answers my question, not what went on in committee. Second, what is his government prepared to do to prevent Hydro from continuing this practice in future?

Hon. Mr. Welch: Mr. Speaker, I must underline the fact that the whole question of costing and pricing was to find a way to trace more accurately the costs to the classes of customers. All I am trying to suggest to the honourable member is that this has been a matter of public review. Everybody has an opportunity to express his opinions on that. The very member asking the supplementary question has some strong views on that matter as well.

Mr. Foulds: Why does the minister protect Hydro from these dastardly charges? Does the member opposite have a supplementary? Mr. Speaker, I bow to a supplementary from the member for Sudbury.

Mr. Gordon: Get off my turf.

Mr. Martel: Get up, Jim. Come on; tell us about Hydro and what a bunch of crooks they are—mafia. I didn't accuse them of being mafia.

Mr. Stokes: Mr. Speaker, I move that the member for Sudbury be now heard.

Mr. Speaker: I must point out that you are completely out of order, as you well know. We will hear from the member for Port Arthur.

ONTARIO RENTER-BUY PROGRAM

Mr. Foulds: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing. Can the minister explain why the Ontario renter-buy program, which I believe was announced in May, has been cut back from $75 million to $65 million and why only about a half, or slightly more than 7,000, of the projected 15,000 participants have taken advantage of the program? In spite of the changeable weather and the rain today, can he tell me why his ministry has fallen so short of its announced targets?

Hon. Mr. Bennett: Mr. Speaker, on the first part of the question, it is very logical as to why the cash-flow position has taken a change. The program is for a purchase until the end of December of the current year.

Mr. Foulds: It is supposed to be until the end of October.

Hon. Mr. Bennett: The honourable member asked the question. If he will wait a moment, I will give him the answer. The fact is that the closing date for the occupancy of a home—

Interjection.

Hon. Mr. Bennett: If the member for Ottawa East (Mr. Roy) would sit and listen, he might also learn something.

Mr. Roy: I like the new image.

Mr. Speaker: Order. Never mind the interjections, please.

Hon. Mr. Bennett: That is fine; at least it is more image than he puts forward on most occasions, let me assure him. His image when he was running for certain positions did not do him very well, did it?

Mr. Speaker: Now to the question, please.

Mr. Roy: That's good, Claude.

Mr. Bradley: Another Marion Dewar.

Hon. Mr. Bennett: The member for Ottawa East is the Marion Dewar of this House, that is for sure.

Mr. Foulds: Is it because of the rain?

Hon. Mr. Bennett: I will not answer that question.

Mr. Speaker: The minister will address himself to the question.

Hon. Mr. Bennett: We have a closing date for the sale of a home of December 31, 1982, but an occupancy date of the end of August 1983. The amount of money that will flow to an individual will do so only upon the completion and the occupancy of the home. It follows that the occupancy will take place some time later, flowing into our new financial year. As a result, the funding will not be required in the current funding program or in the current budget, but in next year's, and provision will be made there for it.

The second part of the question related to the number of units. We had hoped very much we would get something in the range of 15,000 units purchased in Ontario under the program. I acknowledge the fact that the federal government program came along to enhance and improve the quality of our program and stimulate its activity.

I am rather optimistic, even though as of today we have something like 7,600 to 7,700 units sold, that we shall achieve a greater percentage of the 15,000 than would appear possible at this moment. I predicate that on the fact that in this current month and in the latter days of October, the number of applications per day has increased substantially. I look forward, between now and the end of December, to seeing a greater percentage of take-ups of the 15,000.

The member asked the question, and I want to acknowledege the fact that there has been a new confidence expressed in the home purchasing market in this province and in this nation over the past two or three months. That is a direct reflection of the fact that the interest rates on mortgages have declined somewhat. The optimism that has been expressed each Thursday with further declines in interest rates will instill even greater confidence in the purchasing of new homes by the Ontario population.

I expect that by the conclusion of this year we shall have achieved a fairly substantial percentage of our original objective.

Mr. Foulds: I should like to follow up on the minister's optimism because of the drop in interest rates and ask him whether he remembers the fanfare and the hoopla with which he announced the Challenge 2000 program in May. I think it was a cluster of programs which included such things as "inno-rent" and "renthab."

Can the minister tell me why not one penny of the $48 million he stated in his announcement was going to be allocated to "inno-rent" has been allocated? Can he tell me why not one cent of the $9 million for "renthab" has yet been allocated; and why not one dollar of the $1 million for demonstration projects under that program has been allocated?

Can he tell me how he expects people to take

up on those proposals if he has no money in the budget for them?

Hon. Mr. Bennett: At the time I announced the program, I said I was in the process of making application to the Management Board of Cabinet and the Ministry of Treasury and Economics for funding to put the program under way. Indeed, we said we needed lead time to try to instill some degree of confidence in the program and to receive applications for possible projects across Ontario.

I am relatively pleased with the number of imaginative programs which have been brought forward and on which my ministry is currently working. The numbers are rather extensive, and I am prepared to get those and put them before the member.

Many municipalities, contractors and private organizations have brought in rather imaginative ideas. We shall not be able to afford all of them; I must recognize that right now—

Mr. Foulds: Certainly, if you don't ask for any money for it.

Hon. Mr. Bennett: Once again, will the member please sit and listen? He might have the question, but I find that he seldom has the answer or that he seldom even understands the answer after it is given to him logically.

We have taken the opportunity of doing some assessments of the applications that are currently being made to us. There has been some settling in some of the programs by municipalities because of a certain event that takes place next Monday. I imagine that shortly thereafter we shall see a further interest in trying to advance some of those projects they have in mind.

2:50 p.m.

I believe that over the next period of time there will be some funding allocated by the Treasurer (Mr. F. S. Miller) and by the Management Board to get under way with at least some demonstration projects in this field. I do not think we want to jump into a program that neither we nor the private sector is completely satisfied is possible or achievable in putting the units on the market at an affordable rent price.

I do want to compliment again the private sector and those at the municipal level for some of the imaginative projects they have brought in. I am positive, without any fear of contradiction, that we will be able to get some of them under way as demonstration projects, and just maybe we will find that the private financial interests will start to exploit the opportunities offered by some of the ideas that have been put forward.

Mr. Foulds: Can the minister tell me why he made this statement the day immediately after the Treasurer brought down his budget, I think it was? If I understand his answer correctly, can he tell me why the definite amounts of money contained in this glossy press release, which he issued on May 14, and the number of man-years of work which he projected would be created are now going to go down the drain? Do I understand the minister correctly that he is going to wait for next year's budget and about $68 million of the money he promised is not going to be committed?

Can he tell us when he is going to actually start fighting the housing shortage in this province with money, homes and genuine projects instead of fighting them with press releases, publicity and his mouthy words?

Hon. Mr. Bennett: The last assessment is one the member would have the greatest competence in making known, because he is usually the one who exemplifies that particular position.

I said the other day, and I repeat it, this government is not going to succeed in answering all the requirements of the housing market. I make that very clear. It is going to be a co-operative effort which will include the federal government—Canada Mortgage and Housing Corp., to be more specific. It is going to involve the allocation of housing units under the private and public nonprofit programs and under the co-operative program.

It is also going to involve the private sector through some schemes that can be designed by the provincial and federal governments. I am thinking of the rental supply program at the federal level—

Mr. Foulds: You said money would be made available in this budget year.

Mr. Speaker: Order.

Hon. Mr. Bennett: —which is going to make funding available for the development of rental accommodation. I admit that it has fallen short of the market. I said some time ago that it would because there is not sufficient funding per unit, federally or provincially, to make that program fly. It is going to take some realignment of the governments in analysing those programs to try to respond more positively to the rental market.

At the time we announced the Challenge 2000 program, I stated the amount of funding it would take to make it float. I did not say at the time that I had the funding—

Mr. Foulds: You said it would be made available.

Hon. Mr. Bennett: That is exactly right. I said that it would be made available, and I am in the process; but with constraint programs and so on—

Mr. Foulds: When?

Mr. Martel: What millennium?

Mr. Speaker: Never mind the interjections, please.

Hon. Mr. Bennett: It is difficult, Mr. Speaker, not to mind the interjections.

Interjections.

Mr. Speaker: Order.

Mr. McClellan: He has been caught out and he has no answer.

Hon. Mr. Bennett: No; the member for Bellwoods is caught out quite often, but I do not intend to be caught out. I said at the time we were making application to Management Board and the Treasury for funding for this program. We still intend to go forward with the program. In due course, when the funding is made available to us from the Treasury and Management Board, we will advance it.

At the moment—the member knows his party is the same group that wants to talk about government reducing its deficit borrowing and deficit financing—this government is trying to retain its funding and deficit position at what appears to be a reasonable level for this province. I admire the Treasurer for the challenge he has taken up in trying to keep expenses down but at the same time recognizing worthwhile programs. I am sure this one in due course will have that recognition.

OHIP PREMIUMS

Mr. Wrye: Mr. Speaker, I want to ask a question of the Treasurer on one of the most interesting aspects of Bill 179 and his interpretation of it. I want to come back to a question we have asked on a few occasions.

In his budget of last May, the Treasurer will remember that he announced to this House, "Effective for the benefit month of October 1982, monthly OHIP premiums will be increased." I know the Treasurer will remember that the opinion of his legal staff, given to us, was that Ontario health insurance plan premiums are administered prices and are subject to the sort of review available under part III of Bill 179.

My question to the Treasurer is this: How does he now say that Bill 179 applies only to future OHIP increases when he knows any price increase effective between September 21, 1982, and January 1, 1984, is affected? And he knows it because he said last May that OHIP premiums would be increased 14.7 per cent effective October 1, 1982.

Hon. F. S. Miller: Mr. Speaker, I think I have answered this question in the House before. I pointed out that the adjustment in OHIP rates had reflected in effect a historic rather than a future estimation of the increase in OHIP's total spending. The honourable member knows, and I know, that the OHIP premium is somewhere between one sixth and one fifth of the total budget of the Ministry of Health and—

Mr. Peterson: That has nothing to do with it.

Mr. Foulds: What does that have to do with it?

Mr. Speaker: Never mind the interjections, please.

Hon. F. S. Miller: Just a second—and roughly four fifths to five sixths are coming from general tax revenues of the province. In sum total, I make it up either through taxes, through OHIP premiums or through borrowings. It has been my habit in most of the years I have brought in a budget, I think all but one, to make an OHIP premium increase that reflects the changes in the past year.

The mechanics of the OHIP billing process are such that most people prepay their premiums, I think it is some three months in advance. There are particular points in the cycle when it is administratively feasible to put the increases into place. In effect, I made the change on May 13 and the mechanics of the process allowed it to have an impact in the system on that date. It is as simple as that.

Mr. Wrye: That is very interesting. I am well aware of the fact that the Health Insurance Act provides for a payment date, but I would like to try a little example on the Treasurer and see whether he can explain to me how OHIP slides under this legislation.

Suppose I returned to Ontario late on the evening of September 30, after a stint abroad, and the next day I visited one of their one-stop health windows to make sure I got my OHIP renewed. Since my effective date of OHIP coverage and my payment date would be one and the same, and since both fall after the implementation date of Bill 179, September 21, can the Treasurer tell me whether I would be subject to only a five per cent increase on the $23 I would have paid on September 30, or

would I be subject to the increase that others were charged when they made their payments back on July 1?

Hon. F. S. Miller: My friend is dredging up very theoretical examples—I am waiting for the right light to come on here so that my words of wisdom get on tape—indicating that he has come in from outer space into this discussion himself.

He knows there is one rate and one rate only for all of us unless there is assistance because of lower income. The member has to realize that whether the money was paid by the member and myself on OHIP premiums for this year or whether we paid it in taxes, it did not change one whit the total amount of spending required for health care.

Mr. McClellan: Mr. Speaker, the Treasurer in his last answer brought up the matter of premium assistance. This has been raised numerous times, and it has been pointed out on many occasions that the premium and temporary assistance programs for OHIP subscribers are a complete farce in Ontario, because nobody knows about them and most low-income people have never heard about them.

In view of this, what action does the Treasurer intend to take to protect low-income OHIP subscribers against inflationary OHIP premium increases? And is it the Treasurer's intention to continue to pretend that the OHIP premium is not an administered price under section 26 of Bill 179?

Hon. F. S. Miller: Mr. Speaker, I did not try to pretend it was not an administered price. If the honourable member will go into the record, he will see that I said it was an adminstered price. What I did say was that the payments to doctors were not, by definition. So it is on the record that we have accepted the OHIP premium as an administered price.

Mr. McClellan: I will have to check the record, but I think the minister said it was not an administered price.

3 p.m.

Hon. F. S. Miller: No, I have not. Please go back and check. I am not being inconsistent in that area.

Second, it is quite true that a few years back our statistics showed a very low percentage of uptake on the use of premium assistance. More recent statistics show that we have a very high percentage of the eligible people on premium assistance now. I cannot recite them without going back to review them.

Mr. McClellan: Table them.

Hon. F. S. Miller: I will be glad to get them for the honourable member or table them, because there is nothing secret in them. I am sure that, assuming our statistics are good today, the member will be pleased to see that we appear to be getting a much higher percentage of eligible people into the program.

Mr. Renwick: Mr. Speaker, I have a question of the Minister of Revenue (Mr. Ashe), who was here a moment ago. If he is within the sound of my voice, I would like to ask him a question.

Mr. Foulds: His books are here.

Mr. Renwick: Well, I guess I will have to wait until he returns, Mr. Speaker.

EMPLOYEE HEALTH AND SAFETY

Mr. Mackenzie: Mr. Speaker, I have a question of the Minister of Labour. On October 25 my colleague the member for Sudbury East (Mr. Martel) raised the question of the exposure of workers at Trailmobile to isocyanates in the foam spraying operation. In spite of the fact that 14 out of 35 workers now suffer lung function abnormalities and the case has been perking for 10 to 12 years, we really did not get a very responsive answer from the minister.

Further, is the minister aware that there appear to be a number of other plants in Ontario that are using the same foam spraying operation with the same materials? Has he looked into any of the following companies: Ontario Spray Foam Insulation Trailers; Peel Truck and Trailer Repair in Mississauga; Madison Diamonite in Milton; Truchauf UAW of Toronto/Ingersoll; Canadian Hanson Ltd. in Toronto; Truck Fibres in Toronto; H. L. Blackford, Mississauga and Roussi Trailers in London?

Hon. Mr. Ramsay: Mr. Speaker, I possibly erred on Monday of this week when I was responding to the member for Sudbury East in respect to Westinghouse when I stated that a complete investigation was going on within the ministry headed by the assistant deputy minister for occupational health and safety. I had intended to say at that same time that there were two investigations going on, both with the highest priority and both under the direction of the assistant deputy minister. One was Westinghouse, and the other was Trailmobile.

In the context of that investigation the matter of foam in the work place, not just at Trailmobile, is being examined. I cannot tell the member for

Hamilton East whether the companies he has listed today are included in that investigation, but I will be happy to take those names back and make sure they are.

Mr. Mackenzie: Will the minister, then, report back as early as possible to the House with a study of each of the eight firms? Can he ascertain as well if there are any others because of the serious consequences to workers at the Trailmobile plant?

Hon. Mr. Ramsay: Yes, I will be happy to do that, Mr. Speaker.

INDUSTRIAL PRODUCTIVITY

Mr. T. P. Reid: Mr. Speaker, I have a question for the Treasurer on productivity. One of the major problems in regard to inflation is productivity, yet we have heard little from either the Premier (Mr. Davis) or the Treasurer about what their thoughts and programs are for improving productivity in the industrial heartland of Canada.

Could the Treasurer indicate to us, since productivity in Canada grew at about 0.2 per cent in the latter part of the 1970s in relation to rates as high as 8.1 per cent in Japan, what exact steps the Ontario government is prepared to take in improving productivity in Ontario? Has the minister had any discussions with his federal counterparts on this problem?

Hon. F. S. Miller: Mr. Speaker, it obviously is one of the major problems to be faced by Canadian industry in the next few years. It is a particularly difficult one to have to address at a time when cash flows from many companies, if they are positive at all, are very limited. Because, as the member knows, it takes a reasonably good cash flow to encourage companies to reinvest in their productive plant.

One of the big problems we have in Canada, as is being repeated by more and more analysts, is too high a debt-to-equity ratio for our privately owned companies. With the high interest rates, the money that could have been used for productivity gains has been drained off to service debts.

In the paper Ontario produced in February, A Blueprint for Economic Recovery, we recommended that a number of measures be taken to improve the chance for productivity improvements in Canada. An economist who addresses me quite often points out that the Canadian manufacturing sector was a late bloomer. It really came on the scene after government had imposed roughly 50 per cent taxes on the profits of corporations, whereas countries like the United States saw the biggest part of their growth occur in the days before that kind of tax rate was imposed. Perhaps that is one of the major reasons we have not seen the growth we should have see here.

I would take that argument further. That was behind my thoughts when I eliminated in the one sector—

Mr. Martel: Nonsense.

Hon. F. S. Miller: It is not nonsense. It is absolute fact. That is one of the reasons we eliminated the corporate tax for the smaller businesses, on the assumption it was a better way to have them reinvest money to which we would hope to have some future access today in ways and means of becoming more profitable, i.e., more productive.

Just yesterday I sent Mr. Lumley a telex addressing the productivity problems in the auto industry. We had about five elements of interest: increased domestic content in cars sold in this country; increased competitive capability, which I would interpret as meaning productivity; better foreign market opportunities for our Canadian suppliers, we hope with access through SITEV, the Societé internationale de transportation et vehicules, which is on at this moment in Toronto; specific assistance to the industry in improving productivity—one positive step in that area was the auto parts technology centre and another is tax measures; and increased awareness of the Canadian public concerning the critical importance of the auto industry and the benefits of purchasing Canadian or North American-built vehicles. I mention all five because productivity looms in two of them and we strongly believe we have to take tax measures to stimulate that.

Mr. T. P. Reid: I appreciate that the minister has given me a better answer than usual. Obviously what we have to do is work smarter, as somebody put it. In the first part of his answer the Treasurer's emphasis seems to have been simply on investment. We are talking about resources, labour, management, capital, entrepreneurship. All those things go into productivity.

Can the Treasurer tell us whether he has anything specific in mind for bringing labour, management and government together—this seems to have been one of the greatest factors in high productivity in West Germany and Japan—for instance, in some kind of tripartite negotiations? Can he give us some idea of exactly what tax incentives he might provide to those corpo-

rations, companies and individuals who can demonstrate improved productivity over a number of years?

Hon. F. S. Miller: In my last budget, I argued that, while I did not change a tax, I refused to parallel a tax change that had the effect of reducing reinvestment in more productive plants, i.e., the federal capital cost allowance change. That has flowed an extra $1 billion into the federal Treasury this year, in its estimate. I think that is a bit optimistic because investments in that sector have not been anywhere near as strong as the original predictions. Three quarters of a billion would probably be more realistic today. That is three quarters of a billion the government has that companies do not have, based upon their investments. That is three quarters of a billion not available to go back to work right away improving productivity.

I would argue we should all be working with the federal government to impress upon it that was a retrogressive step if we really want to see productivity increases in Canada.

3:10 p.m.

Mr. Wildman: Mr. Speaker, would the minister not agree the problem with tax measures for improvements in productivity in the current economic situation is that businesses generally are facing such cash-flow problems with heavy debt charges that, if they have additional expenditure room, they will use it to pay off debts to avoid high interest rates rather than reinvest in improvements in productivity?

If that is the case, does the minister not agree that what we should be doing is having the government move in a concerted way to help industry improve productivity in this jurisdiction so we can catch up with other jurisdictions like the United States, Germany and Japan in the ratio of research and development as opposed to the gross national product?

How can the minister justify the fact that a year after the announcement of the tech centres, we still do not have terms of reference for any of them?

Hon. F. S. Miller: Mr. Speaker, I think the latter part is quite erroneous.

Mr. Cooke: It's not erroneous, it's true.

Hon. F. S. Miller: Listen, I sit on the Board of Industrial Leadership and Development committee as chairman. I have been looking at the business plans for the tech centres and I can tell the member we opened the microelectronics tech centre last week and the work plans for the other ones are coming along fine.

Mr. Laughren: Doesn't mean a thing.

Mr. Cooke: How come you can't table them if they exist? You still don't know what the hell you are doing.

Mr. Speaker: Order.

Hon. F. S. Miller: Let me go back because my colleague was not really listening to my response. That is not abnormal. To the minister for, the member for Rainy River—

Mr. T. P. Reid: Minister.

Mr. Nixon: Soon to be.

Hon. F. S. Miller: If he were on on this side of the House he would be a minister. We acknowledge that. We have always had a warm seat and a warm heart over here for him. I just wish a few more Liberals were here today. They must be out campaigning; either that or they have learned how to vote in the riding.

Mr. Boudria: They're out winning.

Mr. Speaker: Now to the question, please.

Hon. F. S. Miller: There are only 10 of them here to hear these great words of wisdom. That is why the member had an opportunity to ask a question today.

I said that in a time of low cash flow there were difficulties. I am not sure whether the member has had business experience or not. We all assume that every business in the world is in trouble at the moment and no one is making any positive decisions.

Thank goodness when I went through today's news clips, for the first day in weeks almost all the little headlines were positive. They are starting to reflect the fact that some Canadians have some confidence in the future of this place. Some are even willing to borrow these days to improve productivity. The member does not have any confidence in the future or in the system that made the country great. I am sorry for him.

MUNICIPAL ASSESSMENTS

Mr. Renwick: Mr. Speaker, I have a question for the Minister of Revenue. Yesterday, a constituent of mine appeared in assessment review court 407T in Montrose Public School, presided over by chairman Elmer. Having made her case that the assessment of her house property in ward 8 should be reduced, she was faced in reply by the assessor, Mr. Graham, who replied that the value, that is, the ratio of the assessment to the market value he was using for

average purposes in replying and discharging the intermediate onus upon him, was based on 200 sales in the neighbourhood. When asked, he claimed that information was confidential and he would not disclose the identification of the 200 properties or the geographic boundaries of that area.

Will the minister please tell me how a taxpayer can discharge the onus on him when the ministry assessor refuses to disclose the basic information upon which one of the most important indicia of assessment is based, namely, the ratio of the assessment to market value?

Hon. Mr. Ashe: Mr. Speaker, needless to say I do not have specific knowledge of the issue raised by the honourable member. As far as the duties of a neighbourhood assessor are concerned, either in dealing on a day to day or week in, week out basis with his constituency, he is available to discuss and go over the rationale behind the assessments he has put on a property. Part of the research in establishing market value, and the best one, is based on property sales. That is available on a one to one basis for discussion.

With respect to the reviewing before the court, I do not know the basis on which this particular court was operating yesterday, I think I understood, or in the last day or so. As the member knows, the assessment review court per se is administered not by my ministry but by the Ministry of the Attorney General. But there is no doubt that the basis for an assessment, the basis for establishing what has been an area value—because there is no doubt that this is one of the reasons and one of the necessities for a reassessment in Metropolitan Toronto—is to have a greater rationale for a consistent and constant percentage of market value relative to the actual assessment.

That is not the case now, so a neighbourhood area value is what is being retained. If that particular neighbourhood happens to average 4.3 percent, for example, that property would as well; but the very next neighbourhood may be at six percent, and there is no doubt that at one point or another those neighbourhoods come together. For example, a rather accepted one which is more in the downtown area is Bloor Street. There is a difference between north and south of Bloor.

Whether there was some misunderstanding of the nature of the question of describing the area I do not know. There is no reason that description should not be made available. There is no specific area to say it is X number of blocks by X number of blocks, because it varies all over the marketplace within Metro at this time. There is not doubt about that at all.

Mr. Renwick: These hearings are ongoing with respect to the assessments in my area, therefore will the minister specifically instruct the assessor, in that court, and the property evaluator, who is also present in that court? Will the minister instruct those assessors to make available to the taxpayers the data set, namely which 200 properties are being used to establish the ratio? Will he instruct them to provide the geographic boundaries of the particular band of properties they are using in order that the constituents who are having their assessments revalued in that court will have an opportunity to meet the case that is being made by the assessors in reply?

Hon. Mr. Ashe: I do not see any problem with that at all.

PROVINCE OF ONTARIO SAVINGS OFFICE

Mr. Yakabuski: Mr. Speaker, I rise on a point of privilege to make a correction and perhaps to clarify a matter.

On Monday, when I asked the Treasurer (Mr. F. S. Miller) of this province about expanding the provincial savings banks and said that they had come on stream at a time when there was hardly a trace of socialism in this province, the member for Etobicoke (Mr. Philip) rose and reminded us that they had come into being during the term of office when the United Farmers of Ontario ruled this province between 1919 and 1923; but he left the impression, at least he did with me, that the United Farmers of Ontario were a group of socialists, and nothing could be further from the truth.

The late Harry Nixon, the father of the present member for Brant-Oxford-Norfolk, and the late Farquhar Oliver, who spoke at length on this very matter of the expansion of provincial savings banks in one of his last major addresses in this Legislature, were no socialists; nor was the member for Renfrew South, who represented the old boundaries of my riding between 1919 and 1926, Mr. John Carty. Neither he nor, I believe, any of that lot were socialists. I want to further state I have every reason to believe that the late Mr. Carty in his older and declining years voted Tory.

3:20 p.m.

Mr. Speaker: Having listened very attentively

and intently to the honourable member, I would have to rule that is not a point of privilege.

Hon. Mr. Drea: Mr. Speaker, even though the point was out of order, obviously it is going to be recorded in Hansard and one of the people mentioned is still a rather avid reader of Hansard. I am sure the member for Renfrew South did not mean to imply that Mr. Farquhar Oliver is deceased. I am sure what he meant to say was that Mr. Oliver is a former member. He remains very active and does read these publications. We should have it recorded that we all know he is alive, well and doing quite well.

Mr. Speaker: That he is, indeed. I am very happy that you drew that to the attention of the House.

Mr. Yakabuski: Mr. Speaker, I was aware of that fact. It was an error on my part.

Mr. Nixon: Those of us who know of Farquhar Oliver's abilities and have met him fairly recently, are still well aware of the fact that he can deliver a speech better than any member of this House at present here—an orator par excellence.

Mr. Wildman: With respect to the point, whatever it was, that was raised by the member for Renfrew South, I should point out that the member for Etobicoke (Mr. Philip) did not refer to "any of that lot," as the member referred to them, as socialists but rather social democrats. As the member for Renfrew South would not be able to recognize a progressive one way or the other, he would not understand what social democrat means.

Mr. Kerrio: We all know what it means.

Mr. Speaker: That matter has been thoroughly clarified.

PETITION

TAXATION FOR EDUCATION

Mr. Boudria: Mr. Speaker, I have a petition signed by 78 residents of Prescott-Russell which reads as follows:

"We the undersigned residents of the township of Cumberland in the province of Ontario, being supporters of the Carleton Board of Education, petition the Lieutenant Governor in Council of the province of Ontario as follows:

"Whereas the Ministry of Education's 1981 residential financing proposal would significantly alter the balance of authority between a provincial government and local board of education; and whereas the proposal as formulated would eliminate some inequities while creating others; and whereas the extent of adverse impact on residential, farm, commercial and industrial taxation in support of education in Cumberland township is not yet known, therefore be it resolved: That the government of Ontario further study the advisability of the proposal, communicate the results of their study and their differential impact to the township of Cumberland and other interested municipalities, as well as the corresponding boards of education and allow sufficient time for local debate and feedback before implementation."

REPORTS

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr. Harris from the standing committee on resources development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Provincial Secretariat for Resources Development be granted to Her Majesty for the fiscal year ending March 31, 1983:

Resources development policy; resources development policy program, $3,491,200.

ONTARIO WASTE MANAGEMENT CORP.

Hon. Mr. Norton presented the first annual report of the Ontario Waste Management Corp.

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. Barlow from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr30, An Act respecting the City of St. Catharines;

Bill Pr31, An Act respecting the City of Thunder Bay.

Your committee begs to report the following bill with certain amendments:

Bill Pr21, An Act respecting the City of London.

Motion agreed to.

MOTION

ESTIMATES

Hon. Mr. Wells moved that in committee of supply, following the estimates of the Management Board of Cabinet, estimates of the Ministry of Intergovernmental Affairs be taken, to be followed by the estimates of the Ministry of

Revenue, to be followed by the estimates of the Treasurer.

Motion agreed to.

INTRODUCTION OF BILL

REMEMBRANCE DAY ACT

Mr. Foulds moved, seconded by Mr. Breaugh, first reading of Bill 185, An Act to provide for the observance of Remembrance Day.

Motion agreed to.

Mr. Foulds: Mr. Speaker, the bill is intended to ensure that Remembrance Day is observed as a general holiday on November 11. At the present time, there is no such mandatory requirement in Ontario under the Employment Standards Act or under the Education Act. This bill would make it mandatory so that it is not a movable holiday.

RESPONSE TO WRITTEN QUESTION

Mr. Wildman: Mr. Speaker, under standing order 81(d), I rise with regard to answers to written questions. I raise this with regard to question 545 on the Order Paper. It was tabled on October 20, which means there should have been an interim answer by today at the latest. There has not yet been one.

I suggest this is not a complicated question; it was one which was basically asking for factual information, and although there are a lot of questions on the order paper I wonder why there was not at least an interim answer tabled today.

Mr. Speaker: I am sure the government House leader will take note of that and will inquire of the proper minister.

3:30 p.m.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

ENVIRONMENTAL EDUCATION

Mr. Kells moved, seconded by Mr. Eves, resolution 36:

That this House, recognizing that airborne pollution and acidic precipitation are serious problems in Ontario, recommends that the government of Ontario seeks to increase public awareness of this subject in general and its effects by: (1) including the subject of acid rain in curriculum guidelines for science and environmental science at the intermediate and senior levels; and (2) ensuring that resource materials, textbooks and other teaching aids suitable for this purpose are available in Ontario schools.

Mr. Speaker: I would advise the honourable member that he has up to 20 minutes for his presentation, and may reserve any portion of that time for a windup.

Mr. Kells: Mr. Speaker, the resolution which I have introduced for the consideration of this House belies the claim that politics is largely made up of irrelevancies.

The subject of this resolution is a complex and important issue which is, or should be, of great and immediate concern to all members of this assembly and to the people of the province. I believe it is imperative that we take what measures we can to ensure that Ontarians are fully informed about the politics, economics and the science of the acidic precipitation problem.

The resolution asks that this House reaffirms that the members of the Legislature recognize acidic precipitation as a grave threat to the economy and the ecology of Ontario. The resolution further asks that, out of the consciousness of the dangers which this phenomenon holds for our wellbeing, this House takes measures which will increase public awareness of the nature and effects of acidic precipitation, specifically by including the subject of acid rain in the curriculum guidelines for science and environment classes at the intermediate and senior levels.

I am aware there are those who would maintain that this step is either unnecessary or unnecessarily alarmist. I read recently that the potential dangers of acidic precipitation have been exaggerated and its causes and chemistry inadequately and improperly researched.

Adherents of this position insist that the portrayal of the phenomenon of acid rain as an environmental timebomb is the work of irrational and ill-informed environmental extremists. Happily, this view is not shared by the government of Ontario or its ministries and agencies.

During the summer months, I conducted a survey of 13 Ontario government ministries and Ontario Hydro. The questionnaire was designed to determine their perceptions of the acid rain problem, their evaluation of current policies and programs, their opinions and ideas on future initiatives, and to assess their capacity to play a public information role with respect to the issue of acidic precipitation.

On the basis of the responses, it is apparent that these agencies perceive the problem of acid rain to be a serious one which demands immedi-

ate redress. I shall refer to this survey from time to time during my presentation. I would like to take this opportunity to thank all who participated for their encouragement and co-operation. I would also like to thank Elizabeth Gardiner, research officer with the legislative research service, for her invaluable assistance in compiling the survey response data.

Acidic precipitation may be defined as any form of precipitation which has a pH value of less than 5.6. In southern Ontario, precipitation ranges from three to five on the pH scale, which qualifies it as being acidic. Our problem has been to identify the sources and causes of acid rain, and on the basis of that information to design and implement appropriate remedial policies.

Acidic precipitation is caused by the interaction of sulphur and nitrogen compounds with water vapour and other substances in the atmosphere. Upon emission, these compounds are carried up through the atmosphere where they are oxidized into secondary compounds. These in turn react with water vapour, ultraviolet light and ozone to form acidic water vapour. The acidic haze may stay aloft for up to 10 days, and in the process travel incredible distances from the sources of emission. Eventually, however, the acid water vapour washes out of the clouds, and whatever is underneath at the time gets an acid bath. Unfortunately, because of prevailing winds, what often happens to be underneath is this province.

Last year, 3.7 million tons of sulphur dioxide and 24.1 million tons of nitrogen oxides were pumped into the North American atmosphere. American sources accounted for 83 per cent of sulphur emissions and 92 per cent of emitted nitrogen oxides. Canadian sources accounted for 17 per cent and seven respectively. The level of American emissions is a very real concern to us in Ontario. Most of the precipitation in Ontario is as a result of the northerly transport of moist air from the Gulf of Mexico. In its journey north, this moist air passes over the American smokestack heartland where it picks up, transforms and transports the primary pollutants which eventually wash out over Ontario in the form of acidic precipitation.

I will not review here the full range of negative impacts which acidic precipitation has had and will have on the environment of Ontario. We know from the results of the study of the Ministry of Environment, Acidic Precipitation in Ontario, that a great number of Ontario's lakes have been acidified or are acid sensitive. I am sure all members are familiar with the frightening results of that study.

The Ministry of Agriculture and Food indicated in its response to my survey that the production of some crops had been severely affected by acid rain and that it was possible that airborne pollution could result in serious losses in food production in Ontario. Recent West German and Canadian studies suggest that acidic precipitation has an alarming effect on forests, retarding growth and shortening tree lifespan. This has profound implications for Ontario's forestry industry, which is a major contributor to our economic wellbeing.

Add to this the millions of dollars of damage that is inflicted on man-made structures by acidic precipitation, and the fact that there is a strong suspicion that acidic precipitation has an adverse effect on the health of people living in the fallout area, and members will have some idea of the extent and gravity of the problem. The economic costs of environmental damage on this scale can only be guessed at and may well be incalculable. However, even from this brief survey, it is obvious that acid rain could potentially have a devastating effect on Ontario's agricultural, forestry and tourism industries.

In Ontario, the government, through the Ministry of the Environment, has taken a number of important steps to reduce our contribution to the international acid rain problem. In taking these measures, Ontario is protecting not only its own environmental interests but also the interests of provinces downwind, such as Quebec and Nova Scotia, which are being affected by our emissions.

We have moved to remove the oxides emitted by our two major sources, Inco and Ontario Hydro. We have introduced abatement measures which require Inco to reduce its sulphur oxide emissions to 1,950 tons a day by mid-1983. This will represent a reduction of 550 tons per day from the 1982 levels. In addition, Ontario Hydro is required to reduce its emissions by approximately 43 per cent from the current average levels by 1990.

We have acted to begin putting our own house in order. However, the final solution of the acid rain problem does not lie within the power of the province. The clouds that carry acid rain over Ontario do not respect international boundaries. Acid rain is an international problem that requires an international solution. Ultimately, a truly effective solution to the acid rain problem in Ontario depends upon Canadian-American co-operation. Seventy-five per cent—

in some areas more than 80 per cent—of the acidic precipitation that falls in this province is caused by American source emissions. In effect, even if we in Ontario eliminated every single source of acidic pollutants, we would still have a very serious problem.

In spite of a promising beginning, negotiations with the Americans on a solution to our common problem now seem to have arrived at an impasse. Negotiations are complicated in that we no longer share a common perception of the nature or the urgency of the problem. In part, the American attitude can be explained by the fact that they are not as economically or ecologically vulnerable to the effects of acidic precipitation as we are in Canada.

The question arises then of whether we in Ontario should delay remedial action until all the scientific evidence has been collected and until the Canadian and American governments have reached an agreement. My survey responses indicate that we should not—indeed, we cannot afford to—wait. Our Minister of the Environment (Mr. Norton) has made it clear to all parties to the negotiations that the integrity and quality of Ontario's environment are not negotiable. We must continue to impress this fact upon both the US and Canadian governments.

In the meantime, we can take steps to ensure that our own population is well informed on this matter and that Ontario's case receives a fair hearing and wide publicity south of the border. I believe we have already taken significant steps towards implementing the latter strategy.

3:40 p.m.

The Premier (Mr. Davis) has on a number of occasions presented Ontario's case on the acid rain issue to American legislators and officials. The Minister of the Environment and his officials have also been active on both the political and legal fronts in the United States. The ministry has set aside $1 million of a $7-million fund dedicated to acid rain research to support efforts to persuade US officials to give serious consideration to the merits of the Ontario position and the legitimacy of our claim.

On the legal front, I am aware of seven cases over the last year in which the Ontario government has intervened to protect our interests. Although we have taken steps to publicize our position in the United States, there is still much that we can and should do to increase public awareness of this issue in Ontario. I believe the resolution I have introduced today will help us achieve that goal.

Of course, it is reasonable to ask why people should be informed about this issue, why in the manner suggested and what these measures can be expected to achieve. I think the seriousness and complexity of the issue of acidic precipitation is itself a compelling enough reason for public education. Even beyond that, I would argue it is our duty in this House to ensure that the people of this province are fully informed about any issue that holds such profound implications for their future.

It has been observed that democracy more than any other system of government makes great demands on the energy and intelligence of its citizens. Democratic political practice and the democratic political process are built on the principles of citizens' participation and legislative accountability. However, if the people are to participate fully and effectively in self-government and if the Legislature is to be truly accountable to the people, the people must be knowledgeable about the issues of the day. How else can we expect the people to be able to evaluate the performance of their representatives, judge the adequacy of government actions and appreciate the complexity of the policy-making environment in which we must contend?

Sitting in this House, I have heard many of my friends hold forth on the need for increased accountability in government at all levels. This resolution offers us the opportunity to demonstrate that our commitment to this principle extends beyond mere lipservice and self-serving proclamations. There is an obvious need for public information programs on airborne pollution and acid rain. Not surprisingly, most ministries look to the Ministry of the Environment as the lead ministry in this area to be primarily responsible for this type of activity. A number of ministries have adequate reference materials on this topic in their libraries. However, we do have the problem of getting this material out of the libraries and into public circulation.

Increasing public awareness of the acid rain issue would help offset the effects of what Anthony Downs has referred to as the "issue attention cycle." This refers to the well-known pattern in which a specific public issue leaps into prominence, remains there for some time and then, though still largely unresolved, gradually falls from the centre of public attention. However, whether we are aware of it or not, outraged or complacent, the rain continues to fall and the lakes continue to deteriorate. The more aware the public is of this issue and the more information they have available to them, the less likely it is that they will be duped by

myths and half-truths irrespective of source, be it government, coal lobbies or environmental groups.

It seems obvious to me that if one is interested in educating the public, a logical place to start is in the school system. I want to make it very clear, especially to my colleagues across the aisle, that I am advocating a program of education, not a program of government propaganda. The actual content of the curriculum, what is taught and how, would be left up to the professional educators.

The Ministry of Education already has a learning materials development fund, which could, if necessary, assist the production of instruction materials. The interministerial environmental education committee might play a role in encouraging and developing course content on acid rain and airborne pollution.

Under current curriculum guidelines the topic of acid rain does not receive the attention that, in my opinion, it deserves. Raising the profile of this phenomenon in our schools could have a number of beneficial effects. Aristotle once remarked that education is for children who are going to be citizens. Educating the citizens of tomorrow about a subject that has shaped their world and a problem they may well have to address strikes me as being a worthwhile goal in itself.

In addition, these students may develop an interest in a subject which they may want to pursue at a more advanced level, thus bringing more mind power and manpower to bear on some of the outstanding questions about acid rain.

They might talk about these problems with their parents who, in turn, might feel inclined to get in touch with some of us here in this House as to how they think we are handling the problem and what we should be doing about it.

At the very least, we would have one generation of Ontarians which would be fully informed about this very real threat to its environment. It is only the ignorant man who despises education, and only the incompetent and irresponsible who fear the judgements of educated men. Education is but a means to an end. In this case the end is an informed and alert public. Surely we all agree this is a goal worth attaining.

The Deputy Speaker: The honourable member has approximately six minutes left. Would he like to reserve that time?

Mr. Kells: No, Mr. Speaker.

Mr. Kerrio: Do I have 10 minutes, Mr. Speaker?

The Deputy Speaker: Yes.

Mr. Kerrio: Mr. Speaker, while in theory there is nothing wrong with this resolution, in practice we should remember that high school students do not cause acidic precipitation. It is industry and electrical utilities in this province, other provinces and in the United States that cause acid rain. These are the culprits and it is the corporate directors of these industrial organizations who need the education.

I think it is important to list the companies I believe need to be educated on the matter because, collectively, they were responsible for emitting 1,694,000 metric tons of sulphur dioxide into our atmosphere in 1980.

These companies include Inco Ltd. of Copper Cliff; Ontario Hydro's Lambton station at Courtright, the Nanticoke station at Nanticoke, and the Lakeview station at Mississauga; Algoma Steel Corp. in Wawa; Falconbridge Nickel Mines in Falconbridge; Imperial Oil's refinery in Sarnia; Shell's refinery in Sarnia; Suncor's refinery in Sarnia; Texaco's refinery in Nanticoke; Gulf Canada's refinery in Mississauga; the BP Canada refinery in Oakville; the Shell refinery in Oakville; Ontario Paper of Thorold; Abitibi-Price of Thunder Bay; Great Lakes Forest Products of Thunder Bay; Boise Cascade of Kenora; Spruce Falls Power and Paper of Kapuskasing; Abitibi-Price of Iroquois Falls; and CIP of Hawkesbury.

These are the companies that need to be educated.

We have to wonder why the member for Humber placed this resolution before the House. He may feel that students are not being educated enough on the topic of acid rain, but we feel science teachers are already taking the initiative to teach their students about the perils of acid rain. We know this for a fact.

For instance, at the Lockview Park Secondary School in Port Colborne, the grade 10 biology class is taught about acid rain. It is taught as a component of the course on ecology. Mr. Clarke Tennier, chairman of the science department at the school, claims there is no difficulty in acquiring literature and information which may be used for teaching the students about acid rain.

This is only one example. There are many such examples. But realizing the importance of the topic of acid rain and the initiative which teachers are taking on the topical interest, we believe that what is happening at Lockview is

probably happening at other high schools throughout the province.

The resolution also wants to ensure that resource materials are available to Ontario schools so that they may teach about acid rain. I must submit there is an abundance of resource material available on the subject and any science teacher or science department head with any initiative can surely acquire the literature with relative ease.

There are many articles, reports and books on the topic of acid rain that can be acquired quite simply. In fact, Time has a cover story on the acid rain problem. It is very topical and timely because it is in this week's Time magazine. It is called, "Acid Rain: The Silent Plague."

Last fall, Sports Illustrated had an article called "An American Tragedy." The November 1981 issue of National Geographic published an article entitled, "Acid Rain: How Great a Menace?" The May 10, 1981, issue of Today magazine ran an article entitled, "Stop Killing Our Lakes."

3:50 p.m.

In November 1980, Canadian Business published an article entitled, "Counting the Cost of Acid Rain." In October 1979, Scientific American ran an article simply titled, "Acid Rain." These are just a few examples of the articles published in magazines over the past few years, magazines which for the most part are found in the libraries of high schools throughout the province.

There are also reports that are easily obtainable and very informative, which have been published by Environment Canada and the Ontario Ministry of the Environment as well as other agencies. For instance, the federal subcommittee on acid rain published a report, Still Waters: The Chilling Reality of Acid Rain. It is probably the best document published in Canada on the subject of acid rain.

Environment Canada has produced a number of reports of a nontechnical nature which are suitaable for teaching students. Its report, Downwind: The Acid Rain Story, is very informative. The Ontario Ministry of the Environment published a reasonably good report called, The Case Against the Rain, in October 1980. In July 1980, the Ontario Ministry of the Environment and Environment Canada jointly published, A Bibliography: The Long-Range Transport of Air Pollutants and Acidic Precipitation.

Within its 95 pages are found some 1,400 listings of articles published up to 1979 on the topic of acid rain. There are hundreds of articles which have been published since then.

What I am trying to point out to the member for Humber is that there is an abundance of resource material available. It is relatively simple for teachers throughout this province to obtain any of the articles or reports I have mentioned and most of them are suitable reading material for students or as aids for the teachers themselves.

At the outset, I mentioned that I think it is more important to teach the corporate polluters of the province about the perils of acid rain; much more important than it is to teach the students. I pointed out that already students are learning about acid rain, but I would submit that the corporate polluters have not learned enough.

It is essential that the federal and provincial Environment ministers start demanding more stringent emission reduction strategies for Inco, Ontario Hydro and all the other acid rain polluters in the province. The federal subcommittee on acid rain has made some strong statements about this very matter and I think it is important to read them into the record.

"It is the subcommittee's view, however, that progress has been too slow and that the provincial and federal Environment departments and ministries have acted only reluctantly and cautiously in the past to reduce acid rain-causing emissions. Much more aggressive emission control strategies are essential at all levels to deal with the problem of acid rain.

"Industry in Canada has not always distinguished itself in the environmental area. Some industries have excellent records in emission control but others have effected no controls whatsoever. Too often, individual companies have cited costs as prohibitive factors in effecting controls. This position is unacceptable to the subcommittee.

"Equally unacceptable is a claim by some industries, including some crown corporations (e.g. Ontario Hydro), that their emissions are negligible in the total North American context. The acceptance of this spurious philosophy will effectively doom the Canadian environment to ultimate destruction."

I agree wholeheartedly with these comments of the federal subcommittee and I think it is about time that the corporate polluters of this province take a crash course on the subject of acid rain so that stringent and effective emission reduction strategy is put into place as quickly as possible.

While teaching students about the topic of

acid rain is quite an acceptable concept, we know it is already happening. We do not need to debate the resolution in this House to effect something that is already occurring. What is required in this House is a debate on the measures that can be taken in this province to reduce acid rain emissions.

We should be debating why Inco will be allowed to emit 1,950 metric tons of SO2 after December 31, 1982. We should be debating why Ontario Hydro's 1982 emissions have been allowed to increase by 31 per cent from 1980 emission levels. We should be debating why Hydro is indefinitely shelving its promise to install scrubbers at two of its 500-megawatt units at the Lambton thermal generating station. We should be debating why Hydro is constructing its Atikokan plant without scrubbers when, if it conformed to the April 1981 national emission guidelines for new coal-fired thermal plants, it would be forced to install scrubbers.

We should be debating why SO_2 emissions from Falconbridge Nickel were 29 per cent greater in 1981 than in 1979. We should also be debating why emissions from Suncor's refinery in Sarnia were 78 per cent greater in 1981 than in 1979.

These are the topics we should be debating in order to protect our environment from the insidious ravages of acid rain. Students will learn about acid rain; they are doing so now. We must ensure that this government, other provincial governments and the United States government take the necessary steps to reduce acid rain causing emissions.

I leave that as our submission. Of course, we will support the resolution.

Mr. Martel: Mr. Speaker, this is a motherhood resolution and there is a catchy phrase in it that says, "To increase public awareness of this subject." It would be nice if we could get the government's attention. That is where the solution lies. If we could only get those 26 people over there to get serious. I will come back to the schools in a few moments, but I want to explain why I say that.

In 1969, I said to the Ministry of Natural Resources, "You are killing the Killarney Lakes with sulphuric acid created by SO_2 and water." Some of the new members will not remember Dr. Clarke, but I believe he was a biologist for the Ministry of Natural Resources. When I made this allegation, he went to the defence of the ministry and said I was all wrong and did not know what I was talking about. He said it was natural leaching that killed all those lakes in the Killarney chain, not SO_2, heaven forbid.

I might tell my friend as well that in my 15 years here and to this day, his colleagues have yet to admit that it is the SO_2 from Falconbridge and Inco that devastated the Sudbury area and well beyond towards the French River and Lake Temagami area. The government has yet to admit that is the source.

We do not need a lot of material. I can recall that the first order passed against Inco was in 1972. That order has subsequently been maintained every two years, always when the House was not in session. Usually in January, the government would announce it was extending the program.

Inco is by far the largest polluter. CIL, which was purchased by Inco a couple of years ago, using Inco's SO_2, operated at only two-thirds capacity for as far back as I can remember. Of the three machines producing acid, one is always down. In other words, they could have taken out of the atmosphere in Sudbury one third more annually just by producing to capacity the sulphuric acid that could have been made. They chose not to, the reason being that they would glut the market with sulphuric acid. So they dumped it into the atmosphere and devastated whole areas.

4 p.m.

Mr. Stokes: The people from Cochrane North would be happy to hear that.

Mr. Martel: I am coming to Cochrane North in a moment.

There are studies that indicated the damage done by Inco in the Sudbury basin was more than $400 million annually.

Now I am going to tell members the best part of this. For years, none of us knew this was available and one day a colleague of mine, Paul Falkowski, got his hands on a document produced by a Dr. Dreisinger. He gave me a copy and I came here and raised a few questions in the House. I recall it well, because that night, after raising it, Dreisinger's report was on every member's desk in this House. That had gone unnoticed for years and years. The government would not even publish it, would not even let it be known, but we ultimately got it via that route.

Let me tell the members about Inco. My friend the Minister of Natural Resources played a game here a couple of weeks ago, and got lots of press back north, when I suggested that phosphates from Cargill township should be coupled with acid from Inco to reduce the

emissions to produce fertilizer. They played a little game over there. They said, "Well, Martel wants to rob one area to create industry in another area."

Let me tell the members what the vice-president of Sherritt Gordon Mines Ltd., Mr. Topp, says: "Sherritt Gordon is also having problems lining up suppliers of sulphuric acid. Canadian Industries Ltd. has the northern Ontario market tied up through a purchase contract with Inco Metals in Sudbury and Kidd Copper Mines. The search for a primary supplier of acid necessary for refining the phosphates into phosphoric acid one step away from fertilizer is also affecting the timing of the project."

Inco does not produce to capacity one year after another, but now it is saying it cannot produce these fertilizers because there is not an adequate supply. The bottom line is that Sherritt Gordon is looking at the potential of shipping raw phosphates, "'without refining them,' Topp says." Markets are limited for crude and they are going to ship it out of the north without refining.

The Tories played little games when I said Sudbury has an economic problem and they should produce more acid and combine it with the phospates from Cargill township, which is near Kapuskasing. If we combine the two, we will have another produceduced the damage. The Tories are still playing games over there about who is going to get the industry. That is how serious the government is about it.

It bothers me that the government plays off one community against another in northern Ontario when, in fact, we could be doing three things: mining in Cargill, eliminating or reducing the amount of sulphuric acid that gets into the atmosphere from Inco, and producing fertilizer which we could sell and make some money and start an industry in northern Ontario. The stupid Tories play games over there; they are not interested.

Mr. Laughren: Did you call them stupid Tories?

Mr. Martel: I sure did.

Let me turn to the last point, Hydro. We heard the statement of the member for Sudbury (Mr. Gordon) about Hydro's mafia tactics. For my colleagues who might not have heard it, the member for Sudbury said, " 'The plan was in no way fair and equitable,' said Gordon, adding that Ontario Hydro failed to prove it needed the seasonal rate. Ontario Hydro's attempts to prove it needs the new rate structure were what Gordon called a try at mafia economics."

Let us talk about Hydro, which is the second largest contributor, for a moment. In 1981, Ontario Hydro announced with great fanfare that it was going to use some scrubbers to control its acid gas. Although it appeared that Ontario Hydro would be making reductions in their sulphur dioxide and nitrogen oxide emissions, in reality they were making reductions on projected emissions, which were greatly exaggerated. I am going to come to the exact figures.

The program called for two scrubbers, two 500-megawatt units. The scrubbers could be used at either Lambton or Nanticoke. Here are their estimates: an overall reduction in emissions to 450,000 tons per year by 1985—remember that figure—and 300,000 tons per year by 1990. However, in 1980 the actual figure for total combined emissions was only 463,000 tons. They are going to reduce it by 13,000 tons.

Our friend Hugh Macaulay is running around the province with his cohorts in Hydro trying to tell people why they are not going to go for scrubbers and so on. It is because they actually exaggerated their figures a year ago and they are now saying, "By that time we will have reduced to 450,000 tons," when in fact the amount they are now emitting is 463,000.

I suggest to my friend, if he is serious, that he go to his friends in the front benches and tell them that if they want to deal with the problem seriously, they have got the capacity to do it and they should get on with the job right now.

Mr. Eves: Mr. Speaker, I am pleased to have this opportunity to address the House. It is not very often that I get an opportunity to support publicly something the member for Humber (Mr. Kells) has suggested, but this is one of those times.

Mr. Martel: Hey, Morley, I thought it was just the cabinet.

Mr. Eves: In all seriousness, though, I have to congratulate the member for Humber on his initiative on this timely and complex issue. I had hoped that some of the opposition members would have had a less partisan approach to this debate, and I would have thought that all members of this House would be able to support this particular resolution.

The comments I have heard from the member for Niagara Falls (Mr. Kerrio) and the member for Sudbury East (Mr. Martel) did not particularly address the resolution that is before them—

Mr. Wildman: That is because it does not address the problem.

Mr. Eves: I suggest to me friends that they are quite free to present their own resolutions in this

House if they do not feel that this one addresses the situation.

However, to get on with the debate on this resolution: acid rain has been of particular interest to me and my constituents, and in my maiden speech I dealt very extensively with this matter. As a member of an ad hoc committee that travelled to the United States with several other members of this Legislature to explain Ontario's position on acidic precipitation, we hadn opportunity to demonstrate to several US legislators our position in Ontario. I must say that I was suitably impressed by the nonpartisan approach taken on that occasion by the member for Niagara Falls.

Mr. Kerrio: It was a battle worth fighting.

Mr. Andrewes: Actually he is nearly a Tory.

Mr. Laughren: That's right; he is a closet Tory.

Mr. Eves: Seeing as how some comments have been made on the federal Liberal government's report, named Still Waters, I point out to the member for Niagara Falls that the report itself acknowledges that 70 to 80 per cent of the acidic precipitation falling in central Ontario originates in the United States of America.

In my riding the Ministry of the Environment has held several open house information sessions and testing sessions on acid rain. On September 13, the Minister of the Environment (Mr. Norton) attended an open public meeting in my riding where these issues were debated and questions could be asked. I might note that the federal Minister of the Environment declined to attend.

On three occasions in the past 18 months we have had representatives from the Ontario Ministry of the Environment attend semi-annual meetings of the Parry Sound District Municipal Association. Questions were asked in public there as well and were answered to the best of the people's ability.

I myself circulated a questionnaire in my last newsletter to solicit the opinions of my constituents on the subject of acid rain and, quite frankly, to gain their impressions of Ontario's abatement and control programs, their adequacies and inadequacies.

Acid rain and its environmental effects are of particular concern to my constituents. My riding relies heavily on tourism and forestry and my constituents are not at all reticent about making their views known. They are very worried about the impact that this phenomenon could have on the future of our part of the province.

4:10 p.m.

I have had both the incentive and the occasion to become very familiar with all elements of the problem of acidic precipitation. I would say, and I am confident that most members of this House would agree, that acidic precipitation offers a clear and present danger to the environment of this province.

One might ask what this resolution could possibly do to reduce the threat of acidic precipitation in Ontario's environment. I do not believe, and I am sure my friend the member for Humber does not believe, that this resolution, if adopted, will cause acidic pollutants to vanish from the clouds above the province and that fish will suddenly reappear in acidified lakes.

Rather, I suggest the contribution which this resolution will make to our efforts to control acidic precipitation is much more subtle than that, as subtle perhaps as the pollutant it seeks to combat. I can only hope it will prove to be as effective as the latter has proved to be lethal.

Those members who may be undecided as to whether or not to support this resolution should ask themselves three questions. Is the issue covered by the resolution important enough and pressing enough to deserve the attention of this House? Is there a need for public education on this issue? Does the method proposed by this resolution offer a viable and legitimate approach to increasing public awareness of the problem of acidic precipitation? If all these are answered in the affirmative, the probable environmental consequence must be obvious and the answer must be obvious.

My friend the member for Niagara Falls pointed out the cover story on the November 8 issue of Time magazine, Acid Rain: The Silent Plague. Time magazine is not an extremist or irresponsible publication. Acid rain has evolved into the major public policy issue of this decade.

The economic implications and the environmental damage are of sufficient magnitude to worry us all and to make the cost of remedial measures appear cheap by comparison. Consider the effect that acidic precipitation has on Ontario's $8.7-billion tourist industry alone.

We cannot afford to ignore a threat of this magnitude. There is already a substantial amount of material available to the public on this issue, and Canadians are relatively well informed about acid rain. Be that as it may, acidic precipitation as a public policy concern is, like the phenomenon itself, a complex issue. Argu-

ments to support positions on various matters of the issue are becoming increasingly sophisticated and intricate.

I think the members of this assembly are relatively well informed on the matter of acidic precipitation and perhaps better informed than members of the general public as a whole. But I wonder how many members here are able to explain the pH scale and what a change of one point in pH values actually signifies. How many of us would be able to adequately describe the effects of acidic precipitation on soil and how this in turn impacts on forestry growth? How many of us could describe the national and international legal environment in which solutions to this problem must be pursued?

It seems to me that this is precisely the information which we need to be able to evaluate the claims and arguments made in the House and in the wider public forum. We must also keep ourselves informed if we are to avoid giving yesterday's answers to today's problems. The public also needs this information.

The member for Humber has already discussed the benefits that would attend the adoption of the measure proposed in the resolution. He has made it clear that the programs are already in place which would facilitate its implementation. In addition, I believe the curriculum guidelines are flexible enough to permit its inclusion without causing disruption of any study plans.

I believe this measure has a positive symbolic value that is not to be overlooked. Our American friends tell us that if we expect them to take any significant action, we must be seen to be acting on this matter in a forceful and serious manner. This resolution gives us the opportunity to signal yet again that we hold the problem of acidic precipitation to be a grave and serious one.

In my maiden speech, I observed that the fight against acid rain requires an ongoing commitment. Part of that fight should be public education, and supporting this resolution would be a measure of our commitment.

Mr. McGuigan: Mr. Speaker, I am pleased to address this resolution. I shall begin by saying that I agree with the opposition members who have already spoken, but I think this is a very small measure in answer to a very serious problem and cannot be construed as a solution.

It is important to include the subject, not only for the purpose of bringing the problem to the attention of young people, but also to bring up the matter of the environment. I know there is already a course on environment, but the acid rain study is certainly a shining example of some of the problems we can get into by not attending to the environment.

I am a practising farmer with an educational background in science, and I was brought up in the pre-war period when society dealt with rather simple solutions to environmental problems. I am thinking particularly of pest control. We had a relatively small number of materials and they were rather innocuous as far as the environment was concerned. Shortly after the war, we were hit with a great variety of organic chemicals that caused us a lot of problems. The most famous example, I guess, is the insecticide DDT. This material was almost magic in its ability to eliminate some of the very bad problems we had at the time.

Some of the insects had come to the end of the rope as far as our simple controls were concerned and were out of control. Overnight they were practically eliminated. Potato yields, as measured in 75-pound bags, jumped from a top figure of about 150 bags per acre to 300, and it was not uncommon to reach levels of even 400 and 500 bags per acre. Suddenly it became economical to increase the amounts of fertilizer and irrigation water, and the whole face of agriculture was changed by these materials.

We know the reason DDT was so effective was its persistence on the plant. It would persist through several cycles of the development of insects and so was very effective. But its persistence led to its becoming part of the food chain and being taken up by birds and animals. I live right on the shore of Lake Erie, where seagulls are very common. Until about 15 years after we started using DDT, I had never seen dead seagulls. I do not know where they went to die, but certainly they did not go to the farmers' fields. Then we began seeing them there.

I mention this personal experience to illustrate that even people who should have been asking questions did not, because we were brought up in a time that glamourized the great scientists. I remember in our public school and high school books there were stories about Pasteur and Lister and Mme. Curie and Banting and Best. We believed that such people had the answers to most problems. In fact, one of the popular radio programs that was put on by Du Pont, if memory serves me correctly, had the slogan "Better living through chemistry." That slogan may have played some part in the later one, "Live better electrically."

We have learned, sadly, that scientists do not

have all the answers, that the quick fix was not readily available and that the after-effects of some of the cures were either terribly expensive or not effective. We have looked at the business of liming the acidified lakes, and we have found that the cost is just beyond any expectation of being met and the physical barriers are so great in getting lime into those places. I am sure in certain areas it will be done, but it is not offered as a solution to the overall problem. We have to recognize the need to think through the results of major initiatives before it is too late and we must examine our entire role as a consuming society.

4:20 p.m.

I was jolted and taken aback on a visit to China in 1975 by many of the things I saw there. I guess it was culture shock. On every occasion that we visited a commune, a hospital or a factory, we were lectured on the virtues of their system and the inequities of our own western system. The most common target was our consumer society. Like most members, I had been brought up to believe that consumption was a virtue and was the engine of our economy. In fact, at this very moment the lack of consumer buying in the marketplace is second only to high interest rates as a factor mentioned for causing our economic troubles.

I am not suggesting that we adopt a Chinese model. That model is moving in our direction as they are currently phasing out their commune system of agriculture. But I do believe we need to examine our habits of consumption, especially as they relate to the environment and our ability to live within the constraints of our natural environment. I believe we should study these matters in senior levels of our secondary education system.

We often point out that Canadians are blessed with the greatest per capita gift of natural resources. We make valiant efforts to take our place in the sun and the industrial world, and we must continue to do so. I have to point out that because of our geography, the easily habitable portion of the province is in the south and the food production capacity is largely in the south; the minerals, water resources and forest resources are in the north. From the fact that the north represents about 80 per cent of the acreage of the province, two factors emerge: we are still very much dependent on natural resources in Ontario and in Canada, and the north is very fragile from an environmental standpoint.

The soils of the north are shallow with few exceptions and are very low in their ability to accept acidic precipitation. They are subject to the snow melts and runoff in the spring which compound the effects of acidic precipitation on aquatic life. The forests are slow-growing because of the short summer season. Any further slowing of that growth because of acid rain is an economic and environmental tragedy. Out of all the assaults on our resource base, there is the social tragedy for the native people who rely so heavily on the natural environment where they are living.

I would not want this government to feel that when it carries out the intent of this resolution it has discharged its duties. The solution to the acid rain problem lies in transboundary co-operation. A recent study in the United States has shown that about 50 per cent of our deposition comes from coal-fired generating plants in the Ohio Valley.

In recent years the United States, as other speakers have mentioned, has relaxed its air quality standards. One of the excuses it uses is the fact that we are dragging our feet in our lack of control of sulphur discharges. It may be unfair that they stand behind that argument, but nevertheless they are making it and it seems to be selling with the American public.

If we are going to counter that, it seems to me we have to take the lead. Perhaps in one sense we should take the lead, because the devastating effects are probably worse on us than they are on the Americans. We have to take the lead in demonstrating to them that we are serious about this matter. Then perhaps over a period of time we can persuade the American public it is really an immoral act upon all mankind and upon all society to be churning out those acidic precipitations into the atmosphere.

We will have to persuade our own people, over a period of time, that we must bear the cost, because none of us can deny that there will be a cost for putting in the proper scrubbers and doing the proper thing. It is a cost to us all, whether we pay it directly in the price of the commodities we use or whether we pay it in taxes.

In view of the facts and because of personal experiences, I am happy to support this resolution.

In closing, I wish the member for Humber had gone much further in attacking this problem we all recognize. On all sides of this House, we wish some magic would come along to dispel it, but we know it will only be dispelled by hard work and commitment. At times, we on this side of the House certainly feel that commitment is lacking on that side of the House.

Mr. Laughren: Mr. Speaker, I thank you, my family thanks you and my colleagues thank you.

I rise in support of this incredible resolution. I know that the honourable member who brought forward the resolution has a bit of a history of dealing with environmental problems and policy in the province. I believe he was very closely connected with a former Minister of the Environment of Ontario. So he does have a background. I suspect he knows what he is talking about when he talks about the dangers of the effects of acid rain in Ontario.

This resolution proposes that we increase public awareness of the effects of acid rain, and to do so through the school system. I think that is an admirable goal. But, even given that, it took me some few minutes to decide that I wanted to speak and to support the resolution; sometimes giving the impression of doing something is worse than not not doing anything at all because of how it tends to mislead people into believing that something is really happening.

Anyway, rather than getting up and attacking the government and its policies on acid rain, or even to heap praise on the member for Humber, I thought I would pose a series of questions. Did the member leave some time to respond at the end of his remarks?

Mr. Kells: I did not think I needed it.

Mr. Laughren: That is very unfortunate, because I have a series of questions for the member. Perhaps he can reply, in more leisure, in a note or letter to me, or perhaps even in a speech at some other time.

What I want to know is whether the member will see that the information to be provided to the schools will tell the students the whole story. I believe he even talked about the students being informed about the politics of acid rain. I believe that was in his opening remarks, to which I listened quite carefully.

I want to know whether the member thinks the students should be told what happened back in 1975 when Inco, the largest single polluter, prepared this very big report, which is about two inches thick. In this 1975 report they indicated that, for a cost of $300 million—$299,198,000, to be exact—they could get their emissions down to 1,500 tons a day by December 1979. They were then emitting 3,800 tons. They were going to reduce emissions by more than 50 per cent in that four-year period, to 1,500 tons.

At that point they were living under a control order which would have directed that they get down to 750 tons by the end of December 1978. But Inco came up with a proposal and said, "We have done our engineering studies and we think it is more reasonable that we get down to 1,500 tons by the end of 1979, rather than down to 750 tons by the end of 1978," which is what the control order that was in effect ordered them to do. They calculated, as I said, that the cost would be about $300 million.

4:30 p.m.

That was in 1975. The same year, after this document was prepared and after this document was forwarded to the Ministry of the Environment, Inco then sent a letter to the Ministry of the Environment in which they said: "Listen, friends, you know that report we sent you? We have decided that we do not want to proceed with it." I will give members the exact wording. This was written to Mr. R. E. Moore, regional director of the northeastern region, Ministry of the Environment:

"On May 23, 1975, we made a presentation to you regarding a proposed sulphur emission abatement program at Sudbury"—that is this presentation here—"written copies of which submissions were forwarded to you with my letter of May 27. Our submissions pointed out that the proposed project was not without technical, financial and economic risks. It also indicated that in order to achieve our proposed schedule we had already started engineering."

The letter goes on: "Within the past few weeks this engineering work with the necessary corollary cost estimation has revealed an increase in capital costs, which indicates that our May estimate of $200 million must be increased to at least $300 million"—well, that is what it said in the report—"and considerably more if potentially necessary additions of ancillary equipment prove to be necessary.

"This situation obviously requires a complete reassessment of our position if the economic and commercial feasibility of the proposed project is fundamentally changed. A program which is not economically and commercially feasible is, in fact, not technologically feasible." That is the operative phrase in the letter.

"Accordingly and regretfully we must ask that you defer any actions on our proposal of last May until such time as we are able to provide you with a complete re-evaluation. I will be in touch with you in that regard just as promptly as possible," etc. Then the letter concludes.

The Ministry of the Environment bought their arguments. You might say, "Well, obviously if they cannot afford it, you would have to buy their arguments." But Inco turned around

and at the same time spent $230 million on a battery plant in the United States, of which they have now divested themselves because it will cost them so much money. It was a terrible, terrible investment. This government, colleagues of the member, allow Inco to put that abatement program on the shelf so they can go out and spend a little less money, $230 million, buying a battery plant in the United States, which did not affect the environment here and did not create a single job in Ontario, let alone anywhere else in Canada.

Those are the kinds of policies we have had to live with over the years; the member must be aware of that. The government of the day caved in to that letter completely, and now, to this day in 1982, we are not down to that 1,500 tons, which Inco admitted they could get down to at the end of 1979. If Inco were operating at capacity now, they would be at 1,950 tons a day. But to this day they have not got down to the level they said they could get down to.

That is one question I have. Is it the member's intention that this kind of story would be told to the students in the school system in Ontario? Is that part of the package of information he would see distributed in the schools? That would be telling the whole truth.

Not very long ago the federal government came out with a report, as I mentioned earlier this afternoon, called Still Waters, The Chilling Reality of Acid Rain. In that report, which was in 1980-81, the government made some recommendations. I wonder if it is the intention of the member for Humber to put into the school system these recommendations and the fact that they have all been ignored by his government. Is that part of the information package that would go to the schools? I certainly hope so.

These are some of the recommendations made in that report: "The subcommittee recommends that the Inco Ltd. smelter at Copper Cliff be compelled to reduce its sulphur dioxide emissions to 750 tons per day and that this level be attained within five years." No action has been taken on that.

Recommendation 8: "The subcommittee recommends that the Falconbridge Nickel Mines Ltd. smelter at Sudbury be compelled to reduce its sulphur dioxide emissions to 210 tons per day and that this level be attained within five years." There was no action on that.

Recommendation 35: "The subcommittee recommends that accelerated capital cost allowances continue to be granted for air pollution control devices and that these allowances be extended to new plants." Perhaps the member could tell me if that has been done.

Recommendation 37: "The subcommittee recommends that the federal government in co-operation with the provincial government and the private sector convene a task force on the sulphur byproduct utilization with the aim of developing a national marketing strategy for sulphur and sulphur products. Such a marketing strategy would involve finding new uses for sulphur products and may include the formation of a marketing board for sulphur and sulphur products." Nothing has been done on that.

The member's colleagues scoffed at us when we wanted to combine the phosphate deposits from Cargill township near Kapuskasing with the sulphur from Sudbury to create fertilizer. His colleagues made a mockery of an excellent proposal.

Recommendation 38: "The subcommittee recommends that Canadian phosphate deposits be developed as a market for the sulphuric acid produced by control of sulphur dioxide in nonferrous smelters."

This government has done absolutely nothing on that either. I wonder whether the member would have that information go out to the school system.

Would the member admit to the school system that the government has never allowed public hearings on the control orders issued by the Ministry of the Environment? Would that be part of the information he would put out to the school system?

Would the member also tell the people in the school system, the children of this province, that whatever it costs Inco, at least 55 per cent will be picked up by the taxpayers; that even if it costs $600 million to clean up the act there, about $270 million of that would come from Inco's coffers alone and the rest would be picked up by the difference in the taxes they would pay?

Would the member see the package of information including copies of Hansard debates from this chamber go out to the school system as well?

Mr. Andrewes: Mr. Speaker, I want to endorse the resolution presented by my colleague the member for Humber and, without reservation, recommend that it be adopted by the House.

As the member has indicated, acidic precipitation is an international problem which will require an international solution. This does not excuse us from taking what action we can within

our own jurisdiction to reduce and minimize our contribution to the problem. It is all the more important we do so.

American source emissions are responsible for a significant percentage of the acid precipitation which falls on Ontario. The major sources of sulphur dioxide emissions in the US are the large coal-fired electrical generating plants. One large plant of this type in a single year can emit as much sulphur dioxide as was blown into the atmosphere by the May 18, 1980, eruption of Mt. St. Helens, some 400,000 tons.

Some idea of the magnitude of American source emissions relative to our own can be gained from the fact that the 11 largest thermal plants in the state of Ohio alone emit more sulphur dioxide in one year than all of Ontario's sources combined.

I note with some alarm it is predicted that American utilities will double their output of sulphur dioxide by the end of the century. The end result of this is that 50 per cent of the acid precipitation which falls on Canada originates from American source emissions.

In some extremely sensitive areas in Ontario, such as Muskoka-Haliburton, as much as 88 per cent of the acidic precipitation is attributable to American source emissions. In Ontario, we have never used these facts as an excuse to delay implementation of our own control measures. We practice what we preach.

Permit me to call to the attention of the House an article on acid rain entitled, An American Tragedy. That article was drawn to our attention by the member for Niagara Falls (Mr. Kerrio) as well but he neglected to quote from the article. The article appeared in Sports Illustrated last fall. The answer the writer gives to the crucial question, "What is being done to curtail acid precipitation?" is, "A lot in Canada." Most of what is being done in Canada is being done right here in Ontario.

Ontario is recognized as a leader in monitoring, research and control of acidic precipitation. Any member who wants to gain some idea of the range of our programs has only to consult the report, Acid Deposition, Knowns and Unknowns, The Canadian Perspective, issued by the federal-provincial long-range transport of air pollutants science committee.

4:40 p.m.

Should anyone take the time, they would discover that Ontario's programs are the most extensive and comprehensive in the country. Our programs include deposition networks, susceptibility studies, terrestrial studies, long-range transport modelling, socioeconomic studies and public information programs aimed at the United States.

Perhaps the most important element in Ontario's acid precipitation programs are the first-step regulations put in place to cut the emissions of our major contributors to acid pollution. Ontario has not waited for bilateral agreements but has acted to reduce the emissions. This not only protects our own environment but also protects the environments of jurisdictions downwind of these emission sources.

In Ontario, the two major sources of sulphur dioxide emissions are Inco and Ontario Hydro. The Ministry of the Environment has introduced regulations which require both these operations to reduce their emissions. They have put in place regulations that require Ontario Hydro to limit its emissions to 450,000 tons a year by 1986. I think the member for Niagara Falls also gave us these details.

Apparently, I have run out of time so I will not be able to give all the added detail that is being sought here. But I am grateful for the opportunity to participate in this debate and I thank the member for Humber for bringing this matter to our attention.

EDUCATION AMENDMENT ACT

Mr. Di Santo moved second reading of Bill 89, An Act to amend the Education Act.

Mr. Di Santo: Mr. Speaker, this is one of the attempts of the New Democratic Party to try to focus the attention of this assembly—

Mr. Kerrio: It's private members' hour.

Mr. Di Santo: I did not want to start on a sour note with my friend the member for Niagara Falls, so I will not accept his provocation. I think he will agree with me on this bill even though he has taken so many wrong positions in many instances. But I do not want to go into that now.

As I was saying, this is one of the attempts of the New Democratic Party to focus the attention of the assembly on an issue that is extremly important, not only for this assembly but for all Ontarians.

The purpose of the bill is to facilitate the teaching of heritage languages, to make the program accessible to more communities and to reduce the second-class stigma that is caused by having the program taught outside regular school hours.

Since the program was first introduced, the Metropolitan Toronto Separate School Board

has been teaching heritage languages programs during an extended school day. At present, 27,000 children in 63 schools take heritage languages classes during the regular school day.

When the Toronto Board of Education attempted to implement a similar program, the Minister of Education (Miss Stephenson) reacted hysterically. I regret she is not here today, for two reasons. First, if she had spoken on my bill, she would have reinforced my conviction that this is the right bill. The other reason is that I wanted the minister to express her reactionary views so that the people of Ontario would know once again what type of education minister we have. We will listen to other members of the Conservative caucus and I hope that some of them with ethnic backgrounds finally will understand the purpose of this bill.

Members will recall that last June we had a lengthy discussion on the program that the board of education of the city of Toronto was trying to introduce. On that occasion, the minister reacted quite hysterically. She is quite consistent, I might say. She told the Toronto Star there was a very grave danger of balkanizing the school system on the basis of language. In the minister's statement, she showed a fundamental misunderstanding of the heritage languages program.

Heritage languages programs give people a stronger sense of self-esteem and of the value of their language, culture and tradition. Heritage languages programs have overcome the barriers faced by people for whom English is a second language. Heritage languages instruction teaches people skills that allow them to learn English and other languages better. Heritage languages programs are vital in a society based on equality and one that accepts the ideal of multiculturalism.

I have been listening very carefully to the comments of the government members to find out whether they have learned anything since the program was introduced. I am afraid that many of them will simply view heritage languages as a sop to ethnic groups rather than an integral part of our educational system. If the government accepts the necessity of the heritage languages programs in the schools, they should support this bill.

If the bill is passed, heritage languages programs could be taught during the regular school day. Languages other than English and French could be used as the subject of instruction in cases where this will improve the child's learning of English and adjustment to the educational system. Finally, the bill would make it mandatory for other school boards to provide a heritage languages program whenever 20 parents ask for a specific class.

Ontario will never have a first class heritage languages program until the province makes a full commitment to the ideal of multiculturalism. Until that time, the New Democrats will continue to fight for a broader recognition of the value that heritage languages play now in society and for their acceptance as a part of our education system.

For some time now we have experienced in this province a program that was introduced in 1977, and was called the heritage languages program, under the pressure exerted by our caucus and by other groups in our society, including many, but not all, ethnic groups, and by people who are in the educational system at every level: elementary, secondary, or the highest. It would have been thoughtful of the minister to acquaint herself with the results of very interesting studies made by people like Professor Cummins of the Ontario Institute for Studies in Education, who, after extremely good research, came to the conclusion that those children who learn their mother languages in school become better students. They learn English much more easily and fare much better in their education.

The problem we are discussing is not whether teaching third languages should be allowed or not, because I think everybody accepts that now. There are people who, for reasons that escape me, unless they are reasons based on pure bias and prejudice, are objecting to the teaching of other languages because they detract from the students' regular subjects.

4:50 p.m.

One of the many and unsubstantiated reasons that are reported once in a while is that if children take languages other than English or French, they will not be able to learn English or French well. We know, on the basis of experience, that is not true.

The Metropolitan Toronto School Board, which is the largest educational body experimenting with third languages—they were introduced there successfully five years ago—made an extensive survey of some 10,870 parents. I said earlier that 27,500 children take heritage languages in the public school system and of the 10,870 parents, it was discovered that 88 per cent felt their children were speaking better, 79 per cent felt their children were reading better and 76 per cent saw an improvement in their children's writing ability in the mother tongue.

What many people do not realize is there is a lack of self-confidence and self-worth felt by many of the children of immigrant parents. They have a sense of insecurity in our society because of the language and culture gap.

A survey made by the Metropolitan Separate School Board showed, and this is extremely important, that 82 per cent of the parents reported that since their children have been attending the classes they have increased in confidence and in their feeling of self-worth. This means that third-language classes are performing a very positive and useful role in our society because it makes them better citizens and more able to integrate themselves into our society.

The problem is not recognition of the teaching of third languages in our school system. With the exception of a few rednecks, a few people whose prejudice cannot be counteracted by statistics or by the results of the program, I think the majority accept the teaching of third languages.

The problem is whether that teaching should be part of the curriculum. The Minister of Education, with her extraordinary hypocrisy, said to the Toronto Star—in the same interview in which she said teaching of third lanugages would balkanize the school system in Ontario—that because the heritage languages program is classified as continuing education and is not an integral part of the curriculum, it cannot be taught during school hours. This is one of the most extraordinary discoveries that the human mind can make.

The Minister of Education may have thought that if she changed the regulations, the problem would no longer exist. And that is exactly what my bill asks for: an amendment to the Education Act so that the teaching of third languages is permitted during school hours.

It is done successfully by the separate school board. It does not create chaos and has not created balkanization in the separate school board. In fact, the experiment is so successful that it has been extended to other separate school boards outside of Toronto. It is now being done in the Peel region. So that is not the real problem. There must be some reason which I do not understand; a political reason, certainly.

In September 1982, the Minister of Education suddenly discovered that school hours should be extended, so she added half an hour. That half an hour created immense problems because in the Metropolitan Separate School Board third languages were taught during school hours. By extending the school day by half an hour it becomes difficult, of course, to teach third languages.

Not only that, but the extension of school hours have created serious problems in the schools even for the children who do not take third languages. The decision taken by the minister has not been explained. In fact, the deputy leader of our party asked the minister, last June, to give the rationale for her decision and she refused. That is also typical of the Minister of Education. That decision, which was not rationally explained, has created many divisions in the schools between the students who are taking third languages and those who are not.

Now that we have a Speaker who, I am sure, is sympathetic to this issue, I can address this with even more confidence.

I hope the members of the Conservative caucus will take a moment to reflect and will agree that this is a time that they have to exercise their right as individual members. If their background is Ukrainian or Russian, they should say, "This is the time to count myself among those who are supporting my people, or other people of the same origin."

They should not be trapped by party discipline or by loyalty to the boss, because bosses come and go. If they are courageous and take a stand on this occasion, they will give an example not only of independence but also of loyalty to people who have no voice. If they had the right to speak in this House, they would speak in the same vein as I am speaking. They would speak in the same way as those who are supporting this bill. They should not be afraid. As Tories, they know very well the pragmatism of their party.

If this bill is passed and becomes the law of this province, then the government, their own boss, will take the credit for it. They would indicate that there are people in that caucus of Ukrainian background who stood and spoke in favour of the bill. This government will say it is open-minded and it will take credit for that. But if they vote with the government, that is a problem they will have to settle with themselves. I cannot help them. But certainly they will do a disservice to the people they represent.

I think my time is almost up.

Mr. Nixon: Two minutes.

Mr. Di Santo: Two minutes? I have almost two minutes left. I want to say that if this bill is passed, I think all of us will benefit. I will reserve the two minutes for the end.

5 p.m.

Mr. Dean: Mr. Speaker, I rise to take part in this debate with much interest and to emphasize, as I think all honourable members know, that the government of Ontario has frequently reaffirmed its commitment to our policy of multiculturalism. It does so again. This policy ensures equal access to and full participation in society in our province for all of our residents. At the same time it maintains the right of every person in the province to choose to retain features of his or her own cultural heritage.

Contrary to what was alleged on this topic a few moments ago by the member for Downsview, the Minister of Education does have an extremely well-developed sense of the worth of heritage language instruction.

The member for Downsview should be well aware of the minister's consistent support of the funding provided to boards of education for this kind of instruction.

Our system ensures that the goal of our multicultural society and the policy of our government will be met for the young people in our schools. This concern is particularly evident in the provisions made by the Ministry of Education every year in the estimates. It is evident every day in the schools for heritage language learning at all levels. Many children in fact do speak a language other than English or French, and it is clearly an educational capability that should be cherished.

Before there was ever any thought of heritage language in the schools, I felt it would be a pity if children did not retain the culture and language of their parents. I know it is easy to lose it if one does not really work at it. The role the educational system plays in assisting that is very important, and one that is going to stay with us.

For many decades, Ontario secondary schools have provided opportunities for students to learn additional languages such as Spanish, German, Italian and Russian. These have long been available under the curriculum guidelines of the Ministry of Education for diploma credit. In my days in high school, which may have been slightly before yours, Mr. Speaker—and in those days there was a Liberal government in this province; it is hard to imagine one's memory could go back that far.

Mr. Nixon: That is why you were such a good student.

Mr. Dean: Yes, there were good teachers in those days too. I had an opportunity to learn German as well as the normal French. I think it has made my life richer, and everyone should have an opportunity to learn different languages.

The range of languages offered for credit was substantially increased in 1971 to recognize the changes in the composition of our population. Now the ministry makes provision for boards to offer any heritage language for which there is sufficient demand, for grades 9 through 13, for credit.

At present, 15 languages are being taught for graduation diploma credit as part of the program in Ontario secondary schools. They cover such a diverse list as Chinese, Cree, Croatian, Dutch, Finnish, Greek, Hebrew, Japanese, Lithuanian, Ojibway, Punjabi, Polish, Portuguese, Ukrainian and Yiddish. I left out the ones I mentioned before, which are also taught.

At the elementary school level our students, under provisions of the Ministry of Education's heritage languages program, are able to maintain their mother tongue or learn a heritage language that may not have been their mother tongue. Many briefs to the ministry's committee on multiculturalism from parents' groups supported the procedures for introducing this program. Introduced in 1977, the heritage languages program has been praised by educators in Canada and in other countries as an extremely innovative solution for meeting the language needs of students from Ontario's 70 or more ethnocultural groups.

The program was started in response to the educational and cultural needs of students whose mother tongue is other than English or French. The minister recognizes that the composition of the school population differs from school to school and that is why school boards, in co-operation with parent groups, were granted permission to offer heritage languages as subjects of instruction outside the regular school program under the provisions for continuing education.

This program receives generous funding from the ministry. In 1981, the cost involved for 78,208 Ontario elementary school students studying 45 different languages amounted to $6.2 million, and it is anticipated that for 1982 the cost will rise by about 10 per cent to $6.9 million. Under the proposals of the bill we are discussing this afternoon, Bill 89, we would see an escalation in the numbers of students studying heritage languages, resulting in a considerable increase in cost to the taxpayers.

In addition to the increase in basic grants, which is one factor, there would be increased costs associated with new administrative structures such as advisory committees, supervisory and administrative personnel as provided in the

bill. To that we must add the cost of textbooks, instructional materials, transportation for pupils—because that is also a possibility under the bill—additional teaching staff, additional teacher training programs, summer school, adult programs and so on.

I would like to remind all honourable members that several of the items of cost that I have listed should be multiplied by 45, which is the number of heritage languages currently being taught somewhere in Ontario. Additional costs would be incurred by the formation of classes or schools where students may elect to be taught in their heritage language. Should the taxpayers of the province be subsidizing these programs at the expense of other subjects in the curriculum? That is a matter worth pondering.

The Ontario education system has accepted full responsibility for providing immigrant students with the orientation and language skills needed to live and work in Canada. The Education Act permits a teacher to use a heritage language as a language of instruction in the process of helping the student to learn English or French, whichever the language of the area is.

This outline of the ministry's policy on heritage languages as a course of study or as a language used for transition purposes clearly shows that our government and the Ministry of Education are in the forefront of heritage language education.

Bill 89, in proposing that heritage languages be subjects of instruction and languages of instruction for transition purposes, repeats provisions that the ministry already has in place. Bill 89 would make these classes or groups mandatory on written request if a school board could assemble 20 or more students. It should be pointed out that this minimum requirement for enrolment would be far more restrictive than anything the ministry requires at the present time for elementary school heritage languages programs, since the ministry grants now are applied to a minimum grouping of 10 students.

We should not be misled by the outward appearance and we should not miss the intent of Bill 89. The significant change proposed in this bill is that heritage languages could replace English and French as the alternative languages of instruction for Ontario students whose mother tongue is a heritage language. If students were to choose this alternative—

Mr. Di Santo: On a point of privilege, Mr. Speaker: I do not know if the member is doing this deliberately or not, but he is misrepresenting the bill, because in no way is it said in the bill that the teaching of a third language will replace the teaching of French or English.

Mr. Dean: Mr. Speaker, I did not say that, so I do not have to respond to it. What I said was that it could replace English and French as the language of instruction, and that is certainly provided in the bill.

Mr. Di Santo: On the point of privilege, Mr. Speaker, I think that either the member does not understand the bill or he is misrepresenting it. The bill says that third languages should be used as languages of instruction on a transitional basis, which means in grades 1, 2 and 3, and not on a permanent basis, as he wants us to believe.

5:10 p.m.

Mr. Dean: Mr. Speaker, if students were to choose this alternative, Bill 89 proposes to introduce unilingual heritage languages classes or schools with English or French as a subject of instruction rather than as the language in which instruction and the management of the school will be conducted.

We believe this is in conflict with our multicultural and educational policies through which the ministry—

The Acting Speaker (Mr. Kerrio): The member's time has expired.

Mr. Dean: In any case, I would recommend that we support the kind of policy which guarantees instruction in heritage languages wherever it is required as at the present time and do not support this bill.

Mr. Spensieri: Monsieur le Président, senior président de l'assemblée, j'ai le grand plaisir de m'addresser à vous et à mes collegues dans la chambre pour appuyer le project de loi 89 proposé de notre cousin de Downsview.

It is extremely difficult on this side of the House to have any philosophical or practical objection to the proposal contained in this bill. It is an eminently sensible piece of legislation and in its philosophical implications it simply says that a third language, a heritage language, is to be accorded a status it very amply deserves in today's society.

On a more practical basis, it says it is right for a third language to be used as a pedagogical tool during the transitional phase. For a spokeman for the Conservative Party to allege any potential or possibility of mischief as a result of replacing English and French as the language of instruction is stretching the truth beyond limits that are acceptable to this side of the House

The operative words of the bill are that there is to be an opportunity to study a language, and opportunity to us has always meant chance or availability. There is no positive duty thrust on anyone who does not want the program to be invoked to invoke it. I submit that if the opportunity referred to in clause 277b(a) is afforded, then in those districts and those boards where the need exists and where the numbers warrant, that opportunity will be taken up.

The other question is the transitional—and that is the operative word—nature of this bill. I have had some modest experience in the defining of a transitional period, as I happened to arrive in this country in time to enter grade 9 and I spent two days in grade 1, two days in grade 3, and so forth, and by the end of the week I was in my grade 9 scheduled category. It seems to me, without patting myself on the back unduly, that is precisely what this bill tries to do. It tries to shorten the transitional period to ease facility in either the French or English language and to bring about a proficiency in the level of understanding of that language that would otherwise take longer.

In those happy days of 1962 when I arrived, when multiculturalism was coming into its own, it was easy for teachers, devoted servants as they were, to give freely of their time, especially to students eager to facilitate that transitional period. As we have had wave upon wave of immigrants, particularly in the Metro area I am familiar with, that aura of goodwill and that aura of volunteerism has disappeared and we now find the overburdened teacher, especially if he is involved in an English as a second language program, sometimes resorts to the fact there is really no statutory basis for a third language, no compelling reason for the third language. That creates a lacuna or an undesirable vacuum in the educational process, so the transitional period becomes longer and more costly.

I would like to address myself briefly to what my friend the member for Downsview said about such considerations as self-esteem, removing barriers and promoting equality, which he sees as the guiding principles and guiding reasons for introducing this legislation.

I think it goes deeper than that. We have now learned and have seen that a working, practical, viable knowledge of a third language represents a desirable, good and positive contribution to the way of life. It is no secret that a doctor who has otherwise qualified as a medical practitioner is a better doctor if he speaks a third language. A lawyer who has a third language has a potential client base of 10 to 15 times that of a unilingual lawyer. We see that a businessman who has access to the markets of Europe and other parts of the world through the use of a language is a better Canadian businessman.

Therefore, I would like to emphasise to the members opposite that there are practical and businesslike reasons for introducing and passing this bill.

It seems to me the objectives could have been more easily achieved by simply amending clause 8(1)(y) of the Education Act, which reads in part that the minister may "permit a board to establish for English-speaking pupils programs involving varying degrees of the use of the French language."

It seems to me that if we are talking about a sound juridical basis all that would have needed to happen would have been after the words "French language" to add "and heritage language." That would have been the simplest and, I would submit, most technically sound way of dealing with the problem.

Addressing myself to the question that a third language may already be used, I suppose my friend from the Tory party is indicating clause 235(1)(f) of the present Education Act, which says in part that instruction and all communications must be in "the English language except where it is impractical to do so by reason of the pupil not understanding English."

If that is the clause in the section he uses to indicate that we already have the facility for using a third language as a language of instruction, then I submit to the member for Wentworth that he is using a section couched in the negative, a section which is restrictive, to say that we already have a sound juridical basis for the program.

I reject that argument totally. Unless this government is prepared to amend clause 8(1)(y) of the Education Act and completely restructure clause 235(1)(f) to make it permissive and, as a matter of fact, mandatory that a language other than English be used in the transitional phase, then I think it is simply introducing a red herring to lull us into a false sense of security.

As far as the question of why this program should not come about is concerned, we have heard about balkanization and escalation of costs. We have heard we have good programs at the secondary school level anyway, so why begin earlier. Those arguments sound to me

very much like the arguments contained in this orange booklet that has been so kindly provided to us, the so-called orange response, which deals with the question of French language instruction and separate Catholic school instruction.

It seems to me the same types of arguments that are being advanced in this booklet are being advanced by the government party, if it decides not to support Bill 89. I plead with them not to give us an orange response on this very important matter and this very important piece of legislation.

5:20 p.m.

I want to wrap up by saying that to those of us who work and live in a multicultural and ethnic community, this type of legislation, the two modest amendments to the Education Act that I have suggested, is a must if this government and the Minister of Citizenship and Culture (Mr. McCaffrey) are to have any kind of credibility.

All we ask is that the government set up a sound, permissive, legal basis for the program and then let the local elected boards, in which we have the greatest faith and in which we repose our confidence, set about determining the extent and nature of the programs they want to bring about.

Without the legal basis that will be provided by either my friend's proposed legislation or those two amendments, we will always be in a position where the third languages will take a poor third backseat. I do not think that is a tenable state of affairs for this province.

Mr. Foulds: Mr. Speaker, it is a great pleasure for me to rise and support the bill of my colleague the member for Downsview. It has been about six years since I have spoken at any length on educational matters, which was when I held the portfolio as Education critic for my party.

I want to review with the House some of the feelings I have about this bill as it affects our society. I want to pay tribute not only to my colleague the member for Downsview but also to my former colleague from Parkdale, Dr. Dukszta, who introduced a similar bill in a previous session of the House, and to my colleague the member for Oakwood (Mr. Grande), who has spoken during Education estimates and in debates many times on this very important matter.

I want to say very seriously that I feel it is a disgrace that the Minister of Education (Miss Stephenson) is not in her place during this important debate on this important bill. It is not surprising that she is not in her place, because her attitude towards third language instruction can be described only as obstructionist and bull-headed. She has treated the subject with disdain, and I regret to say she has displayed a total lack of sensitivity to the reality of what is Ontario today.

I have not yet heard in the debates in this House any reasonable or logical objections to this bill or to third language instruction. I will try to do it without heat, but I cannot express too strongly the objections I feel when the parliamentary assistant to the Minister of Education raises the kind of scaremongering tactics that he does during his prepared, written and not fully thought-out remarks on this debate.

I do not know what the objection is to teaching children in Cree, Italian, Serbian, Slovenian or whatever language. The reality is that Ontario is a multicultural society, like it or not, whether the Ministry of Education likes it or not, whether the Minister of Education likes it or not. A third of our population has as its primary language, its heritage language, as its normal language, a language other than English or French. It is about time in 1982 that the government recognized that.

I also want to say that the bill introduced by the member for Downsview is the only one that makes common sense from an educational point of view. The key educational principle in teaching, and I happen to know a little about that, is that you take someone from what he knows to what he does not know; and if the language that the person in the school knows happens to be other than French or English, it only makes sense to teach him in that language while he is learning English or French, depending on what is the majority language in that part of the province. It is only common educational sense.

This bill and what I have said about the multicultural nature of our province do not apply just to Metropolitan Toronto; they apply also to the vast majority of cities and the vast majority of the population of our province. The vast majority of the people of Thunder Bay speak neither English nor French as their primary language. The primary languages of the people of many communities in the remote north that my colleague the member for Lake Nipigon (Mr. Stokes) represents are Cree and Ojibway. It makes sense to me to have those people taught in those languages in which they feel most comfortable. If you want to avoid culture shock and the kind of confrontation the

parliamentary assistant wishes to stir up, then it only makes common sense.

I also want to make it very clear that there is no compulsion in my colleague's bill. He says very clearly, and the word is operable, "A board may establish. . ." It gives them the authority to establish. It does not force the establishment of a language program on those boards that do not wish to, but it gives them the authority to do it with the same dignity and equality as they would programs in English or French.

His bill says, "A board may establish and maintain classes for the purpose of providing a heritage language as a subject of instruction or as a language of instruction for the purpose of transition to English or French." It is very important that the honourable member who is now trying feebly to interject understand the voluntary nature of my colleague's bill.

The rationale for instituting the heritage language program during the—

Mr. Dean: On a point of privilege, Mr. Speaker: The deputy leader of the third party has correctly read from one section of the bill; but if he were to read from the ensuing section, he would also see that there are circumstances where it is not permissive; it is mandatory. The word "shall" is used.

Mr. Foulds: Name them.

Mr. Dean: Section 2.

Mr. Foulds: Yes. Where "French shall be a subject of instruction in all grades."

Mr. Dean: "Where, after the first school day in September and on or before the first day of April next following, written evidence is presented to a board that a number of students resident in the board area and directly related to a heritage language community has elected to be taught the heritage language as a subject of instruction, the board shall forthwith determine whether students can be assembled for this purpose in one or more classes of 20 or more; and where the board determines that such students can be so assembled, it shall provide the language as a subject of instruction."

Mr. Foulds: Where the board determines that it can be done.

The Acting Speaker (Mr. Cousens): The honourable member has asked for further elaboration. You have made your point of privilege.

Mr. Dean: Yes. "Where the board determines . . . can be so assembled, it shall provide. . ." My point is clarified.

Mr. Breaugh: There is a little trouble with the English language.

Mr. Foulds: Mr. Speaker, the honourable member is having a little trouble about where the board determines that such students can be assembled—when it can be done, where it can be done.

Do I have three minutes left, Mr. Speaker?

The Acting Speaker: Two minutes.

Mr. Foulds: Is the member's point of privilege taken off my time?

The Acting Speaker: Yes.

Mr. Foulds: Well, I want to dissociate myself from any of the remarks made by the parliamentary assistant during my time.

5:30 p.m.

The rationale for instituting the heritage language program during the regular school day is very simple.

1. It would help to preserve the students' culture and native language and to afford students the opportunity to study their native language and culture.

2. It would give the students' mother tongue and culture a recognized status in their regular school program and thus contribute to the students' development of positive concepts of self-worth. Recognition of the integrity and worth of the students' culture and language would place it in the students' frame of reference.

3. It would increase communication between the children and their parents and grandparents, and the school should be the instrument for so doing.

4. It would eliminate the physical and family strain of after-school programs and the psychological impact of separating students in those after-school programs.

5. It would promote consistency in the study of languages other than English.

It is illogical to argue the way members of the government party are, that we should be doing this on the wishy-washy kind of basis their minister has proposed. If there is any minister in this House who is inconsistent and illogical it is the Minister of Education.

Finally, I urge all members of all parties to vote on this according to their consciences, not according to a party whip. I believe it is important to this kind of bill to promote tolerance and understanding among all of our ethnic groups.

Mr. Kolyn: Mr. Speaker, I am pleased to have

the opportunity to speak in this debate. As a Canadian born in a household in which the mother tongue was neither French nor English, any discussion of heritage language teaching is of great personal interest to me. From my own experience, I know the significance of language to any people preserving and celebrating their native culture on Canadian soil.

Language is important. It defines one's heritage and opens up many vistas for both personal and professional development. When each of our three children entered the public school system, my wife and I made certain that he or she participated in heritage language programs. The youngest, I am proud to say, has achieved grade 12 standing in heritage language studies. Her achievement and the experience of her brother and sister indicate to me the present system works.

I have studied the view of the member for Downsview on heritage language. I can understand his point of view and his concerns about heritage language. But while I do, I have no reservation in saying that I believe his conclusions to be dead wrong.

The way I see it, the prime goal for any education system is teaching the tools and attitudes required for responsible citizenship. Paramount in achieving this goal is the teaching of the working language of the nation. In Canada we have two working languages, English and French. One of the prerequisites for responsible citizenship in Canada is a working knowledge of either of these two languages.

The current heritage language programs offered by the Ministry of Education are both effective and fair. Where else can various groups have the opportunity of using public facilities to learn their language and culture? Do Turkish labourers in Italy, France or West Germany have the chance to have their children taught in their native tongue? I think not. Nor do they demand it. Those labourers realize they have emigrated to a new nation to seek a new future. They accept the customs they find there as par for the course.

I think that attitude is shared by immigrants to Canada. No one forced them to come here. They came of their own free will because, in Canada, there is an opportunity to grow and thrive. They recognize there are two official languages in our nation, English and French.

There is another question, a question frequently avoided by the New Democratics, who, if their party label more accurately reflected their policy, would be called the New Deficit Party. What is the cost of the proposals of the member for Downsview? Where will the local school boards of our province find qualified language teachers to meet the needs of the various cultural groups now active in heritage language programs and planning to participate in the program in the future? To my mind, these administrative problems overshadow what little benefit the member for Downsview's proposal might bring.

Let me return to my first point, which is the responsibility of our school system to give children the tools and attitudes required for responsible citizenship. In her address to this House on Citizenship Day, May 16, 1980, the Minister of Education said that the government's multicultural policy is a citizenship policy. What she meant by that statement is that this government's multiculturalism policy supports two objectives: the sustaining of the identities of distinct cultural groups and, at the same time, the sharing of those things we have in common so that all can live in harmony together.

I firmly believe that a balance between cultural identity and civic responsibility is effectively maintained by the current heritage languages program offered in Ontario schools. Let us remember that our provincial school system is a public school system. Public education has a special responsibility for being a positive force in promoting participation in our democratic government structure and our free market economy.

The Ontario government believes that the first priority of our elementary school system during the regular program must be the preparation of each child with the knowledge, skills and attitudes he or she will require for active participation in the community. This priority can be best achieved through the encouragement of positive relationships between children of different backgrounds during the learning process.

The mandatory insertion of programs that will segregate children along cultural and linguistic lines in our schools weakens the ability of our schools to properly achieve this first priority. This is not theory. This is not vague meditation on current educational dogma. This is cold, hard fact.

In the light of the recent developments in various schools in Ontario where there may have been plans for programs of this nature, it would appear that the creation of mandatory

programs within the regular school day created the potential for tension and conflict among the language groups that attended the school. This tension and conflict threatened to erode the spirit of goodwill and co-operation among these groups which the school had so carefully tried to encourage.

The bill before this Legislature presents members with a fundamental choice. I ask the member opposite, is he prepared to support legislation that has the potential of creating tension and conflict within our schools? Is he prepared to support legislation that has the potential of upsetting the harmony between cultural groups that is one of the important goals of our public school system? I honestly cannot.

As my colleague the member for Wentworth (Mr. Dean) so ably pointed out, this government does not believe in mandatory bilingual or unilingual education. The heritage languages program, as it now exists, provides equality of opportunity for all students to study a home language as a subject of instruction without discriminating against those students and their parents from other cultural groups who do not wish to participate in the program.

It is basic to our system of education that local school boards must reflect the needs of the community they represent and provide educational programs that meet local needs and priorities. The proposal before this Legislature would overrule that local input. It is through a spirit of co-operation that the Ontario Ministry of Education has become successful in conducting heritage languages programs involving 45 languages, 64 school boards and an expenditure of more than $6 million. To deprive local communities of a personal involvement in these programs will destroy that sense of community and civic commitment that is the essence of the democratic process.

The creation of mandatory heritage languages programs will weaken the link between our schools and the communities they serve. It will weaken this important link in the growth of reponsible citizenship. It will create tension between school and the parent and sow the seeds of disunity from one end of Ontario to the other.

I believe we have one of the finest and most comprehensive heritage languages programs in the world. I believe, however, that Bill 89 will blast that success. It will destroy the successful balance that has been established in our school system to bring together the needs of distinct cultural groups with the needs of the community as a whole. Therefore, in good conscience, I cannot support this bill. I would just like to add that I have made up my own mind on this particular bill. I have never been whipped into line on this or any other bill. I cannot support it.

5:40 p.m.

Mr. Nixon: Mr. Speaker, among the many failings in our education system that have come to light in the last 20 years, the greatest has been the inadequacies in language instruction. There was a time when all the students in our secondary system took French as a matter of course. It was not a matter of making a choice; it was taught to everybody who was warm and present in the classroom. The member for Wentworth (Mr. Dean) indicated that in his time his education was under a Liberal administration. He said he had an opportunity to take German and undoubtedly he was exposed to Latin as well. It did not do him any harm and there may be those of us, who have watched his academic career with a great deal of respect, to whom it would indicate that he had a considerable advantage in that connection.

The approach to language instruction in the last two decades in this province has been a disaster, in my opinion. We have in fact turned out people, and I really must associate my own education to some extent with them, who have not seen fit to take advantage of language instruction and, in many respects, must be said to have had almost an illiterate approach to modern education. In almost any other country in the world where one might meet people who have been subjected to the ordinary education system, one will meet people who have had an opportunity to learn something of probably two more languages beyond their mother tongue and to be exposed to some at least of the literature in those languages. We cannot say we have achieved this here.

One of the biggest changes in the last 20 years and a bit longer has been the immigration of people with other cultures and other languages into the community. We have not turned this to our advantage. In fact, we have allowed many of those people to be somewhat embarrassed because their background was not English or Scottish and they had other languages in their home besides English. It has been a shame that many young people, in particular—not so many now, perhaps, as a decade ago—have not seen fit to keep up the knowledge of a second or third language and a knowledge and respect for their culture.

For these reasons, I am delighted indeed that this bill has been brought forward. I congratulate the member for Downsview (Mr. Di Santo) on his initiative in that regard. I particularly want to associate myself with my colleague the member for Yorkview (Mr. Spensieri), who spoke so effectively in support of this concept.

For one thing, I cannot listen to the argument that by allowing these subjects to be taught during the school day we are needlessly restricting the students from getting a rounded, so-called liberal, education. I believe the school day is far too short now. I notice in my own community and other small communities, as I drive around through the constituency, that the school buses, and we have many score of them, deliver their loads of students back to the farms and to the homes and everybody is home watching cartoons and eating junk food before 4 o'clock. Of course, the farm boys are out doing the chores, which is in the grand tradition and accounts for farm boys being so much better than the others.

They too would have a great advantage if they had an opportunity to learn a second and a third language, particularly when it comes to the cultures associated with those languages. I cannot see the great advantage of everybody being exposed exclusively to the cultural aspects of the English language. I personally believe that a young person might get as much of an expansion of his mental processes and an improvement in his cultural heritage if he studied the poetry of Taras Shevchenko in the original Ukrainian as he would if he read Shakespeare in the original English.

There is no reason that we cannot have both. My own feeling is this can be done without the exclusion of other subjects necessary to a basic education.

We know that in many of the areas of our present cafeteria-style education, brought so much into an area of prominence by the Ministers of Education before the present incumbent, going back to the days of the now Minister of Intergovernmental Affairs (Mr. Wells) and even, in the more remote past, to the days of the present Premier (Mr. Davis), almost any of the real structure in education, any of the subjects which would give a young person an appreciation of a broader scope in this world of ours, have been ruthlessly eliminated. They have been replaced by this cafeteria-style approach which I do not think has served our young people well.

In all the areas of the province which have had the advantage of immigration from other countries of the world, the numbers would warrant the sort of education envisaged in this bill. The costs are certainly something to be reckoned with. The member who spoke just before me brought that to the attention of the members.

Those who are now filtering into the House to vote at the behest and command of the chief government whip will, I know, have been listening carefully to the arguments put forward and are prepared to make an individual judgement.

I must join with the other speakers who have called upon all members of this House not to respond simply to the rigidities of the narrow-minded Conservative approach to education, which has been so damaging in this province that once had a broadly-based education system that provided benefits which have no longer been part of our system in recent years. Here is a chance, not necessarily to respond to certain ethnic compulsions in either one's own background or one's own community, but to see the fairness in the bill that is before us.

If, God forbid, this bill does not carry this afternoon, I suggest there will be other occasions in the next few months and years when this House can move in the direction of providing the sort of education, particularly with regard to languages and the culture and literature associated with those languages, which can make our educational system in this province as great as it once was and, I would certainly hope and pray, far better than it once was. It is inadequate now. It is needlessly restrictive. Somehow or other we are imposing far too narrow an approach on the cultures that are part of our community and which should be brought into our formal education for the good and benefit of all of us.

Mr. Di Santo: Mr. Speaker, I have been listening carefully to the members who participated in the debate. I want to thank all of them although, I must say with regret, I did not expect the member for Lakeshore (Mr. Kolyn) and the member for Wentworth (Mr. Dean) would come with arguments that are pure rubbish, if you will excuse my words, Mr. Speaker. They each made arguments that have been stated previously and repeated and which, to my knowledge, have not been proved. There has been no evidence to support them.

The first argument was that if we teach third languages during school hours, that will be to the detriment of the two official languages of the country. The member for Lakeshore stated that argument time and again.

The other argument was that if we allow the

teaching of third languages during school hours, we will burden the school system with an unbearable deficit.

It has been proved by people who have studied the system carefully, including Professor Cummins in an extensive study done by the separate school board, that those students who take third languages are also those who become more proficient in English.

Nowhere in my bill is it said that taking a third language should be to the detriment of the English language—or the French language where that is the language of instruction. Teaching a third language should be one of the subjects allowed during school hours. The members of the Conservative caucus have been unable to justify why it is okay to teach Italian, Ukrainian, Portuguese or any other third language after school, but it is not okay to teach them during school hours.

5:50 p.m.

Mr. Speaker: The honourable member's time has expired.

Mr. Di Santo: We are now paying for heritage languages programs and the same money would be spent if those languages were taught during school hours. I regret the Conservatives are voting according to their whip orders and not according to their consciences.

ENVIRONMENTAL EDUCATION

Mr. Speaker: Mr. Kells has moved resolution 36.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

EDUCATION AMENDMENT ACT

Mr. Speaker: Mr. Di Santo has moved second reading of Bill 89.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Call in the members.

5:55 p.m.

Mr. Speaker: Order. I have just been advised that because of the possibility of an error in the drafting of Bill 89, which we are considering, an extra amount of time should be allowed before the vote is taken. Of course, I have to be governed by the rules and the only way we can change those is by unanimous consent. So I am asking the House whether the members would be in favour of extending the vote for another two or three minutes.

Mr. Martel: Mr. Speaker, since there is an error in the drafting, we would ask for unanimous consent to withdraw the bill at this time.

Mr. Speaker: Do we have that consent?

Hon. Mr. Wells: In withdrawing the bill, that does not preclude it from coming up at some other time. But it will have to come up at the time of some other private member's ballot item. Is that agreed?

Mr. Speaker: Yes.

Mr. Martel: It will have to be dealt with, Mr. Speaker. If you want to delay the vote, we would like to have an opportunity to address it quite carefully.

Interjections.

Mr. Martel: I have asked for consent to withdraw the bill. I want to withdraw the bill.

Hon. Mr. Wells: Fine.

Mr. Speaker: I am asking for unanimous consent to withdraw the bill. Do we have unanimous consent?

Agreed to.

The House recessed at 6 p.m.

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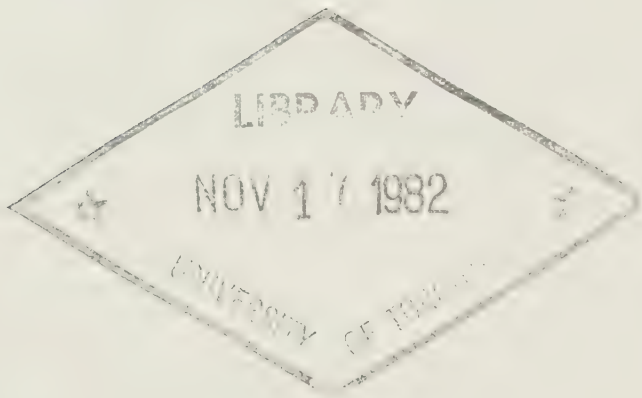
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Thursday, November 4, 1982
Evening Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Thursday, November 4, 1982

The House resumed at 8 p.m.

YORK SOUTH BY-ELECTION

Mr. Martel: On a point of order, Mr. Speaker: I know there are those who will not be overjoyed at what I am about to bring forward as a point of order, but there are those of us who have listened with some chagrin when members such as the member for Niagara Falls (Mr. Kerrio) have ridiculed my leader for sitting up in the gallery. I want to tell my friend that a week Monday, that fellow who sits in the Speaker's gallery that he used to poke fun at will be joining me over here.

I might tell the member for Niagara Falls, since he has been so critical, that with 140 polls counted Mr. Rae has 8,998—or 9,000, give or take two votes—Mr. Nunziata has 7,000, and the Progressive Conservatives are way down at 3,600. That is just an indication of things to come. On a more serious note, I am sure that all members of this House will take pleasure in welcoming as the newest member to this august body the new member for York South and the leader of the New Democratic Party, Bob Rae.

Hon. Mr. Gregory: Mr. Speaker, on that point of order, I know the leader of the third party is taking some pleasure in this. As the member for Sudbury East said, we did ridicule the leader of the New Democratic Party for sitting in the lobby. In the future, we will be able to ridicule him sitting in the House.

As the members know, we are engaging in this debate tonight with the unanimous consent of the House leaders. It was suggested that I mention to the House that we ask unanimous consent for the member for Simcoe Centre (Mr. G. W. Taylor), the Solicitor General, who was speaking and who adjourned the debate, to be allowed to continue in the debate upon his return.

It is suggested that the member for Lincoln (Mr. Andrewes) be allowed to continue and that the member for Simcoe Centre be allowed to partake in the debate in the next rotation.

Mr. J. M. Johnson: Mr. Speaker, on a point of order: As a private member and relating to the private member's business this afternoon, I thought the House leader of the New Democratic Party rose to apologize for the mixup they had in Bill 89 this afternoon. I was quite disappointed when he did not give an explanation of how they fouled it up.

Mr. Martel: Could I respond, Mr. Speaker?

The Deputy Speaker: Do we really want to get into this?

Interjection.

The Deputy Speaker: No, come on; I want to tell the member for Wellington-Dufferin-Peel that was not a legitimate point of order.

Mr. Martel: I think it was a typographical error.

REPORT, STANDING COMMITTEE ON PROCEDURAL AFFAIRS
(concluded)

Resuming the adjourned debate on the motion for adoption of the fifth report of the standing committee on procedural affairs on agencies, boards and commissions.

Mr. Andrewes: Mr. Speaker, I want to thank you for the opportunity—

Mr. Martel: When are you going to break away from the mafia-controlled group?

Mr. Gordon: It may take a little while. I am not going to put down francophones, though; I can tell you that.

Mr. Andrewes: Jim, Sudbury is in good shape. Let's leave it there.

Mr. Speaker, I want to thank you for allowing me a few comments o the report, particularly as they relate to the Ontario Energy Board. I would first like to commend the committee for its work. We found the report helpful, as did the Ontario Energy Board. The committee made six recommendations regarding the energy board, and I would like to address these briefly.

The first recommendation relates to the apparently perennial question of whether the Ontario Energy Board should have the power to make binding decisions regarding Ontario Hydro rates, as it does with natural gas distributors.

Mr. Kerrio: Why, certainly they should. What is the use of having them there?

Mr. Andrewes: For the benefit of the member for Niagara Falls, this point was raised, I think,

near the adjournment of the debate last week by the member for Oshawa (Mr. Breaugh), who in his own inimitable way said the suggestion that this should happen just made common sense. I say with respect that it may have that appearance, there are a number of similarities between the gas utilities and Ontario Hydro with regard to the review and setting of rates, but there are also very major differences, almost all of which derive from the Power Corporation Act.

The gas utilities are privately owned and controlled, being accountable to the public only through the OEB proceedings. Ontario Hydro, by contrast, is controlled by a board of directors, all of whom are appointed by the Lieutenant Governor in Council. Hydro's board is itself a regulatory authority with a variety of powers conferred by the Power Corporation Act.

For example, section 95 empowers Hydro to approve and control the rates and charges for the supply of power by any individual corporation or municipal commission receiving power from Hydro. Section 93 confers on Hydro a wide mandate to regulate the design, sale and use of electrical hardware.

Mr. Martel: Do you agree with the member for Sudbury?

Mr. Andrewes: Of course I do. He spoke out strongly for the people of Sudbury, and you saw the results.

Major factors in the setting of Hydro's rates, such as its capital projects and its borrowing program, are specifically governed by the Power Corporation Act, which makes some of these matters subject to the approval of the Lieutenant Governor in Council.

Interjection.

Mr. Andrewes: That is not within the jurisdiction of the Ontario Energy Board.

The positive purposes of rate hearings are really twofold. First, they oblige Hydro to explain its rate proposals in public with an opportunity for interested members of the public to contribute to the process as interveners, as the member for Sudbury did, or simply as observers, as the members of the New Democratic Party did—in my opinion, a very useful scrutiny.

Second, they result in a reasoned report on the rates proposal by an independent body knowledgeable in the area. Both the board of directors of Ontario Hydro and the Ministry of Energy are informed by the Ontario Energy Board report.

8:10 p.m.

Mr. Martel: Phil, did you notice the government followed what I suggested, not what the guy who made the representation did?

The Deputy Speaker: Never the mind the interjections. The member for Lincoln is speaking to the chair.

Mr. Andrewes: The second recommendation of the committee—

Interjections.

The Deputy Speaker: Order, order.

Hon. Mr. Gregory: On a point of order, Mr. Speaker.

The Deputy Speaker: No, I am standing.

Hon. Mr. Gregory: I have a point of order.

The Deputy Speaker: I am standing first.

Hon. Mr. Gregory: You have to recognize me.

The Deputy Speaker: No, I do not. I am the boss.

Hon. Mr. Gregory: Okay, if you won't let me speak on the point of order—

Interjections.

The Deputy Speaker: Are you going to sit down, please?

Hon. Mr. Gregory: That is what I am suggesting to you.

The Deputy Speaker: I was going to bring to the attention of the member for Sudbury East that interjections are allowed but continuing long discourses are not. I am asking him to refrain from the continued long discourses.

Mr. Martel: Mr. Speaker, speaking to the point of order—

Hon. Mr. Gregory: Mr. Speaker, are you going to recognize me? You didn't recognize him?

The Deputy Speaker: I now recognize the member for Mississauga East.

Hon. Mr. Gregory: Mr. Speaker, I am really amazed how, when I rise on a point of order to bring this to your attention and you will not recognize me, the moment I sit down you recognize the member for Sudbury East. What is this?

The Deputy Speaker: Did I recognize you first?

Hon. Mr. Gregory: No, you did not.

The Deputy Speaker: Yes, I did.

Hon. Mr. Gregory: You did not recognize me.

Interjections.

The Deputy Speaker: Are you talking now before the member for Sudbury East?

Hon. Mr. Gregory: Mr. Speaker, if I might speak on my point of order.

The Deputy Speaker: Please do.

Hon. Mr. Gregory: I will. Mr. Speaker, on a point of order: I suggest to you that the member for Lincoln is speaking. If you cannot hear the interjections from across the way, we can. We cannot hear him for the yahoos over there. I suggest you draw their attention to this.

Mr. Martel: Mr. Speaker, on the point of order—

The Deputy Speaker: Is this a point of order?

Mr. Martel: Speaking to the point of order, first, I would suggest that my friend the Tory whip should withdraw that last—

The Deputy Speaker: Come on; point of order.

Mr. Martel: Speaking to his point of order, I do not think it is parliamentary to use terminology—

The Deputy Speaker: Order. I want to remind the member for Sudbury East that as late as Tuesday night the member for Riverdale (Mr. Renwick) used what I felt was unparliamentary language. However, because of the nature and time of the day I refrained from asking him to withdraw it. Under the circumstances, we will call it fair. Please make your point of order quickly.

Mr. Martel: I will make my point of order. If what the member who was speaking said, and I was listening very carefully, was that his colleague from Sudbury suggested they go before the Ontario Energy Board, I did not suggest that. What I suggested on March 30 was that the government intervene—

The Deputy Speaker: The member is stretching it.

Mr. Martel: Let me finish.

The Deputy Speaker: You are stretching it.

Mr. Martel: In a question to the Minister of Energy (Mr. Welch) on March 30, I asked that the government intervene to protect the people of Sudbury and that is in fact what—

The Deputy Speaker: Order. I know the member for Oshawa would agree with me that you are out of order. The member for Lincoln now has the floor.

Mr. Andrewes: Mr. Speaker, I am reminded—

The Deputy Speaker: Order. We have a point of order from the member for Ottawa East.

Mr. Roy: Mr. Speaker, on a point of order: I have listened to the interchange taking place here. For the record, I must say I am extremely offended by the attitude of the whip, the member for Mississauga East. After all the years he has been here, I think he should know that when the Speaker is standing he has to be seated. That applies to everybody.

Hon. Mr. Gregory: Thank you very much for drawing that to my attention.

The Deputy Speaker: With that in mind, the member for Lincoln. You made your point. The member for Ottawa East has another point of order.

Mr. Roy: Mr. Speaker, I feel the House leader and the whip should understand that the Speaker is trying to act as objectively and fairly as possible. I am offended he would try to use the great weight he has within that party and that caucus to intimidate the Speaker. I find that very offensive.

Mr. Andrewes: I am reminded by my colleague the member for Cambridge (Mr. Barlow) that due to all the interruptions he missed the first 14 pages, so I am obliged to start again.

The second recommendation of the committee is for an automatic pass-through of city-gate natural gas price increases without a hearing by the Ontario Energy Board. We are now considering the possibility of a legislative amendment to achieve this end, but I would like to share with the House several thoughts on that subject.

We are still in a period of escalating energy prices. City-gate price increases comprise a significant portion of gas rate increases. The public deserves the assurance that all elements of energy costs are being scrutinized by a provincial agency even though the government does not have the power to control many of these costs.

Further, I believe the board has been able to adapt its procedures so that its consideration of these periodic external costs does not impose an undue regulatory burden on either utility or intervener.

Interjections.

Mr. Andrewes: Am I interrupting the conversations here, Mr. Speaker?

The Deputy Speaker: I would hesitate to mention who was doing the talking.

Mr. Andrewes: The third recommendation of the committee is that the Ontario Energy Board recover all of its operating costs from fees. The board now recovers from applicants all of its

direct out-of-pocket expenditures on hearings, plus a portion of its overhead and indirect expense. The extent of the portion of overhead recovered can of course be varied, but all of this expense is part of the cost of service of the utility and therefore has a direct impact on rates.

In the current economic climate and with so many other impacts on gas costs, we would be reluctant to see a significant increase in these chargeback costs. As for the principle of the board's entire budget being recovered out of fees, I would be concerned that this might tend to make the board in a sense beholden upon the gas utilities.

The committee's fourth recommendation is that the Minister of Energy be authorized to ensure uninterrupted service in the event of a gas company ceasing its operations. This is something both the board and the minister would try to do. Continuity of service is of critical importance. I would point out that section 25 of the Ontario Energy Board Act requires that a distributor obtain leave of the board before discontinuing service to a consumer.

Section 26 confers on the Lieutenant Governor in Council a measure of control over corporate change such as merger on the part of a distributor. It is not apparent that any further authority is necessary or that further authority would be of any help if a distributor became bankrupt and the economics of the case made it impossible to attract another supplier.

The committee's fifth recommendation reflects a concern that after hours and on weekends there is no authority available in the gas utilities to order the reconnection of a customer who has been in default of his account. As I understand it, a defaulting customer might find the gas service cut off on a Friday. He might be ready to pay or settle on a Friday night or Saturday, but there would be no one available in the gas utility with the necessary authority until Monday.

The chairman of the OEB took this matter up with the three major gas utilities some months ago and reported back to the chairman of the committee by letter. His conclusion was that in the case of each major utility, off-hour authority is available to gas customers.

The sixth and last recommendation of the committee draws to my attention several recommendations of the McRuer report which should be implemented. We have them under consideration as part of a package of possible housekeeping amendments to the Ontario Energy Board Act.

I conclude by again thanking the committee for its efforts.

8:20 p.m.

The Deputy Speaker: I am looking for some direction from the House leader.

Mr. Nixon: Mr. Speaker, I think the undertaking was that we would continue with the section dealing with agencies, boards and commissions until we finish. Then we are going to do the Ombudsman, and I think we are ready to speak on that. We have had several speakers on the ABCs.

Mr. Martel: It was my understanding, Mr. Speaker, that the government had at least two more speakers on this particular committee report. I suggest we stand the vote down until the member comes back, and move on to the next order of business.

Interjections.

The Deputy Speaker: Order.

Mr. Martel: Could we stand this item down until the member for Muskoka (Mr. F. S. Miller) comes back and has his opportunity to speak, and just move on to the next order of business, which is the report of the Ombudsman? I think there was some consensus on that this afternoon.

The Deputy Speaker: I was under the impression that the debate was going to continue, that we were just waiting, but that may not be the case.

Hon. Mr. Gregory: We do have speakers on this particular item. I understand the member for Algoma-Manitoulin (Mr. Lane) and the member for Scarborough-Ellesmere (Mr. Robinson) want to speak. The first member is ready and we would like to continue with this debate.

The Deputy Speaker: I am sorry. It is my error. I did not cast my eye over all members of the House.

Mr. Martel: Mr. Speaker, I was just trying to make an accommodation, because we had ensured that the minister would have an opportunity to speak. That is why I was prepared to stand this item over until he came and go on to the next order.

Mr. Deputy Speaker: We might have to do that yet.

Mr. Lane: Mr. Speaker, I would have been on my feet sooner, but I thought the speaking rotation was going to be as normal, and for this reason I was biding my time.

Being a new member of the standing committee on procedural affairs, I am not as familiar

with the contents of this report as I would like to be. Unfortunately, the other night I was pinch-hitting for a colleague on the justice committee, dealing with Bill 179, and was not able to be in the House to listen to the debate that proceeded last Thursday. However, I would like to make a few remarks regarding the Ontario Board of Censors.

I understand that under the Theatres Act the board has the power to censor any film intended for public showing in Ontario and can cut or eliminate any portion of a film with the authorization of the submitter. It has the power to approve, prohibit and regulate the exhibition of any film, as well as advertising material. In addition to approving films and exercising censorship functions, the board also classifies films.

The board now classifies films in four categories: family, parental guidance, adult accompaniment and restricted. For each category there are statutory guidelines. The family film is one that the board considers appropriate for viewing by a person of any age. The film designated as parental guidance is one the board considers every parent should exercise his or her discretion in permitting his or her child to view. The film classified as adult accompaniment is one that is restricted to persons 14 years of age and older. Finally, the restricted film is one that is restricted to persons 18 years of age or older.

Making a decision to cut a portion of a film, or in rare instances to reject the film entirely, is based on what the board views as objectionable. It should be pointed out that the act in its amended form and under the regulations does not set out any specific standards to be applied to a film. Therefore, the board has absolute discretion in deciding what is objectionable and what is not.

In the absence of statutory standards, the board recently has developed a standard based on what the board perceives the community at large in Ontario finds objectionable on film. It has determined that the community objects to graphic or prolonged scenes of violence, torture or bloodletting, explicit portrayal of sex and violence, including rape, sexual abuse and sexual exploitation of children and so on.

I do not pretend to be an expert in this field, but I have had a long-term interest in what the censor board is doing and why it does it. Because of this interest, I have made several visits to the Ontario Board of Censors to view firsthand what the board censors and why it feels it needs to do so.

Being a free-thinking individual, living in a democratic society, I must admit that I did have reservations about censorship of any kind. However, after being an eyewitness to the actual censoring process, I never once left the board feeling that the films' artistic qualities had been ruined or that their continuity had been interrupted.

I realize it is very difficult to discuss this part of the report without getting into the philosophy of censorship. Sometimes I wonder if it just does not come down to a matter of the lesser of two evils. What I am referring to, and I am sure there is no member in this House ignorant of it, is the continuous escalation of violence in our society, particularly crimes of sexual violence.

We have only to look within the city limits of Toronto over the past year to see how many of this city's women have been victims of senseless, brutal sexual abuse and, in so many cases, death. None of us will forget the young shoeshine boy who never made it to his 10th birthday.

My common sense, therefore, must draw a parallel between the startling rise of violence in our society—crimes of sexual violence, in particular—and the way in which women and children are depicted in film. I might add the depiction of men in these films does nothing for the progress of civilization either.

Sex exploitation for commercial gain seriously undermines society's respect for the dignity and worth of individuals. If we are not exercising some form of censorship, are we not, as society's lawmakers, condoning, or appearing to condone, the mistreatment of these invidiuals? I am not suggesting that censorship will correct all of society's ills, but I have to believe that at least we, as legislators, will not be contributing to them.

To get back to the report: it recommends that the name of the Ontario Board of Censors be changed to the Ontario Classification and Censorship Board. The response from the ministry was as follows: the censor board has been a regular target of media criticism in recent years, particularly over the censorship function of commercially screened films as it appears to apply to community standards.

The issue of the board's name and the possibility of change to emphasize the board's film classification role is one of several being considered for the Theatres Amendment Act, expected to be introduced soon. It should be emphasized, however, that the body in question remains a censorship board and that fact should not be obscured behind a new name.

The second recommendation was that the censor board should incorporate, as part of its annual report, its assessment of community standards as it relates to the public exhibition of films, detailing how it arrived at the standards and the results of its studies.

The response to that was that we agree with the intent of the recommendation. Although the guidelines are not now incorporated in the annual report it is the current policy of the board to make public these guidelines and the methods of determining community standards and to distribute them widely throughout the province in theatres, schools and libraries.

The third recommendation was that the Minister of Consumer and Commercial Relations (Mr. Elgie) ensure that the individuals appointed to the board come from a cross-section of the Ontario community.

The response from the minister was that we wholeheartedly agree. This policy is essential to ensure that the board of censors will truly reflect the standards of Ontario's diverse ethnic and cultural communities. Accordingly, the Theatres Amendment Act, expected to be introduced during this sitting, will include provisions for enlarging the board from its present 15 members to 25 members. I am assured that these new appointments will reflect Ontario's changing population.

I might just finish by saying that the surveys conducted by the Ministry of Consumer and Commercial Relations consistently have shown the majority of people are in favour of some form of film censorship. The government's position is one that clearly supports the present standards of censorship.

8:30 p.m.

Mr. Robinson: Mr. Speaker, in the normal rotation of things, I am delighted to have the opportunity to speak at this early time of the evening—the shank of the evening, dare I say. I acknowledge the presence of my friend the member for Oshawa (Mr. Breaugh), with whom I shared this particular, special experience.

Mr. Shymko: The lone member from Oshawa.

Mr. Robinson: How is that? He must have managed not to support his leader so he could be here with us tonight. I am sure it will not be looked on that way.

Mr. Breaugh: Mr. Speaker, on a point of order: The members opposite have noted that we do not have full attendance in our caucus tonight. The reason for that, and I want to put it clearly on the record, is that we believe in fair play and we figure this is about an even match.

The Deputy Speaker: I do not think that was a valid point of order, but you got it in any way.

Mr. Robinson: Mr. Speaker, I can say without fear of contradiction that there may not be too many things that the member for Oshawa—representing the multiple numbers of his caucus here tonight—and I agree on, but the substantial recommendations of this particular report are probably one of those occasions when he and I are not too hard pressed to agree.

In addressing the report, I want to say at the outset that in my limited time here and regardless of how short or long it may continue from this point—and I am not going to listen to various sides as to how long that may be tonight; that is not why I rose in my place—I think it is fair to say that members on all sides will agree that of all the legislative exercises and all the debates and all the investigations and rhetoric in the course of any given week, month or session in this House, there are few more useful than the investigation and very close scrutiny of the agencies, boards and commissions appointed by this government.

Some hon. members: Hear, hear.

Mr. Robinson: I am particularly pleased that I am going to have a lot of assistance with my remarks tonight, something I have not always enjoyed in the past.

An hon. member: Or in the future.

Mr. Robinson: Or in the future, I am reminded as well.

As we look at the report itself, it is interesting to note the variety, the numbers and the types of agencies that the standing committee on procedural affairs chose to address for its last review. The report is the substance and subject of this review, and there is a minority report dealing with the matter of the Ontario Board of Censors.

I was particularly interested last week to hear the comments of the member for Hamilton Mountain (Mr. Charlton). I know the comments are shared by the member for Oshawa because, with the member for Hamilton Mountain, he co-authored that minority report.

Mr. Gillies : Lots of short words.

Mr. Robinson: I am going to ignore that one. It is interesting and it is important that this House recognizes whether the question is censorship or not censorship; whether the question, as the member for Oshawa so eloquently said last week, is a matter of what an individual has

the right to select to view or not to select to view: or whether the state or the individual ultimately will have the privilege of deciding.

I think that what the member for Hamilton Mountain has reflected in the minority report attached to the board of censors section came very close to the real issue when he talked about what effect censorship would have on the issue and whether the issue was "clipping celluloid," as he put it, or whether it was the production of what was clipped.

With him and with the member for Oshawa, I can agree to a large extent on that point. Simply removing an example of child pornography, of violence or of exploitation from a copy of a film—except in the view of the public and except for public viewing, if I may—does not really remove the problem, the sin or the stigma created by the act of filming that particular segment.

But I do not know how effectively one addresses that problem if it is not commenced by snipping the celluloid. It is fine to talk about the federal responsibility—and I do not want to upset my friends across the way, because they do not like us to talk about federal responsibility over here—but we all agree that there is increasingly a need to enlarge the role—

Mr. Bradley: What would you do without the federal government to blame?

Hon. Mr. Ashe: They sure give us lots of things to blame them for.

The Deputy Speaker: Speaking to the Speaker.

Interjections.

Mr. Robinson: I will wait, Mr. Speaker. In case there is anything worth responding to, I do not want not to hear it. But since there was nothing on that round, I will simply continue with the remarks I was making.

I think we all agree that obscenity as defined under the Criminal Code of Canada is indeed the area where of necessity there may be the ultimate power, the ultimate tightening up to prevent the act of what is obscene for viewing and what is not. But if we do not under the existing regulations—

Mr. Bradley: What is obscene is the way you treat the opposition in this House.

Mr. Robinson: It is interesting, but I will not respond to that one either. I will keep on going, and I am sure the member for St. Catharines will improve as the night wears on, even if I do not.

Mr. Bradley: Bob Runciman knows.

An hon. member: Yes.

Mr. Robinson: And he had no response either; so I will continue. We can take as long as we need.

Mr. Boudria: Mr. Speaker, we should be dealing with the Ombudsman's report. The member has nothing to say.

The Deputy Speaker: Order. The member for Scarborough-Ellesmere has the floor, speaking to the report.

Mr. Robinson: Mr. Speaker, I am sure you will recognize that I am, in my own modest way and despite the interruptions from across the floor, trying to deal word for word in substance with the report that is before us tonight.

Mr. Gillies: They have the Nunziata blues tonight.

Mr. Robinson: If, in fact, at this point—

Mr. Bradley: Do you still like Paul Cosgrove?

Mr. Gillies: Let's have Nunziata of your nonsense.

Mr. Robinson: If, in fact, at this point—

Mr. Breaugh: Keep up the interjections. You have quite a good track record.

Mr. Robinson: I have said this 86 times without getting beyond "if, in fact, at this point."

If, in fact, at this point—I will try one more time—the federal government is not going to recognize its responsibility and make those necessary amendments to the Criminal Code—

Mr. Shymko: They never have.

Mr. Robinson: I say to my friend, don't help me.

Mr. Boudria: You don't need the opposition. You have all you want on your own side.

Mr. Robinson: I have all the friends I need over here; the member is absolutely right. I thank the member for Prescott-Russell for that timely comment.

If they are not prepared at this time to make the necessary amendments to the Criminal Code that will prevent that segment of the industry from thriving or from coming to this country at all, I think it is incumbent on us as the second tier of government in this area to do whatever we can in our own way to try to eliminate the problem. I agree with the members of the third party that simply clipping the celluloid is not going to remove the problem of child pornography.

But I suggest, father of a young family as I am, that by leaving it in and leaving it openly selective, we are simply creating a market for an appetite. I think we in this House can all look

back at the past 20 years and see how films have developed, at how there are things in movies each and every week that were certainly not acceptable 20 years ago that have become acceptable now. I suggest that this is in no small measure because we as a society have been groomed to allow them to become acceptable.

I think it is the same thing in the area of the Ontario Board of Censors and the things they are removing. Critical comments were made about the out-takes, and the opposition again criticized the fact that the out-takes had all been strung together and, in a very shocking, forceful way, they were shown to the members of the procedural affairs committee who were reviewing the agency. Some would say that this was done deliberately to shock the majority of the committee into retaining the status quo.

I do not think this is the case. I do not think the member for Oshawa believes this is the case. I believe that he was objective, as were other members of the committee, and that he looked at those one by one, analysed their content and their impact in the context of another film and came to the conclusion that collectively they were abhorrent and individually they were unacceptable.

8:40 p.m.

Because of that unacceptability, because the Ontario Board of Censors does not want to create a market and does not want to allow under this government the sensation of the public to become less sensitive to those issues, to become more readily willing to accept those issues, such as violence and depravity, that are contained in many more films that are available in the commercial market today, the committee as a whole made the recommendation to continue to support, with some amendment, the overall mandate of the censor board to maintain its censorship function.

The committee did not do that without attempting to look at how certain modifications might be made to the board to continue to make it relevant relative to its role in Ontario.

One of the hardest things to define when looking at the composition of that board is, as recommended on page 6 of the report, that the board should incorporate as part of its annual report its assessment of community standards in relation to the public exhibition of films, detailing how it arrived at that standard and the results of that study.

A greater responsibility than simply viewing and classifying films, determining that certain parts of a particular film, or a whole film as has happened in very rare instances, may not be acceptable for public viewing is how the board defines community standards.

The member for Oshawa will recall that we had a lengthy debate with the chairman of that board on what community standards are now, what they had come from, and where they might be in the future. That is reflected in the next recommendation in the report, that the minister ultimately responsible for that board, the Minister of Consumer and Commercial Relations, should ensure that those individuals appointed to the board come from a cross-section of the Ontario community.

The individuals appointed to the board should not simply reflect the opinion of the big city or, conversely, that of the rural community or of the north, but should provide that cross-section of opinion. I think we will find as the membership and the composition of the board are changed, as more people are appointed to it, perhaps to see fewer films per year, that we will have a greater cross-section of opinion than we have enjoyed previously.

I believe the role of the board will remain vital. I do not like censorship, I do not think anybody likes censorship, but until the federal government comes to grips with its responsibility to provide a greater definition of obscenity under the Criminal Code, then it is a necessary part of the function in Ontario.

I want to move on to the second agency reviewed by the procedural affairs committee the last time out, the Ontario Police Commission. We have had an incident in Metropolitan Toronto, a meagre few days ago now, where another officer doing his duty became the victim of violence; I dare say he became the victim of violence by the use of his own weapon, which makes it even more critical.

The Ontario Police Commission, if it is going to fulfil a vital role in the Ontario police community, must continue to offer an overall, very high standard of guidance for police protection, police conduct and police training right across the province.

As we listened to the debate last week, I was particularly intrigued by the comments of my friend the member for Brant-Oxford-Norfolk (Mr. Nixon), who is I see with us again tonight and who no doubt, with his usual attention, will hear what I have to say about his remarks.

I was particularly taken when the honourable member talked about visible minorities on the Metropolitan Police Force. As a member from Metropolitan Toronto, I equally share his con-

cern that since we do have such a multicultural mosaic, such a great combination of ethnic backgrounds in this city, there should be some measure of equal representation on the police force. But that is not really the issue—

Mr. Bradley: We're looking for big things out of you people on the public accounts committee.

The Deputy Speaker: Try to avoid the interjections.

Mr. Robinson: It was not directed at me, Mr. Speaker, but I will gladly yield to the member for St. Catharines if he wants to discuss the affairs of the public accounts committee this evening. I do not really know what that has to do with this, but if he is bored and I cannot hold his attention, perhaps he would like to come closer; in fact, perhaps he would like to cross the floor to address his remarks more appropriately over here.

Mr. Bradley: That would be the only reason I'd cross the floor.

Mr. Robinson: I want to say to the member for Brant-Oxford-Norfolk that in my part of Metropolitan Toronto, the eastern part, where our community is multicultural as well but perhaps to a lesser extent than the core, I do not know how one would bring a measure of sensibility to the Metro police organization by simply including visible minorities in the force itself.

Under the Police Act and under the collective agreement between the Metropolitan Toronto Police Association and the board of commissioners of the Metropolitan Police Force, would one be able to assign those people where their visibility would have some positive impact?

I cannot see that we have a problem now. I do not want to start selecting groups for fear of the peril I may get into. However, I cannot honestly see what advantage there might be in having many more East Asians on the Metropolitan Police Force and then assigning them to areas where there is no particular East Asian content in population reflected in demographics. That is not to say their presence would not be welcome; but surely their presence alone is not enough. Their presence must be coupled with a usefulness; the fact that they are on the force must have an effect. I do not think the comments of the member account for that.

We talked at some length in committee and in the House about compulsory training. I do not think there is any doubt that compulsory training for police officers, in our province particularly, is very necessary. Speaking on my own behalf and not on behalf of my colleagues on this side, I do not believe any individual should be allowed to enforce the laws of this country without some sensible level of basic training in police procedure, human psychology and the law.

I find it unacceptable in this day and age that somewhere in this province someone with no previous training, with only an interest, however positive that may be, can be hired off the street, assigned a weapon and put in a patrol car to serve, protect and do whatever else is required without some minimum level of formalized training in that area.

If that is of importance, the matter of the firearm is of even greater importance. No one in this province who has any responsibility for the protection of other people should be allowed to assume that responsibility with a weapon without some very specific basic training in its use. I am not speaking only of its mechanical use. It is no trick to become proficient at pulling the trigger, or to squeeze off a bullet from a firearm, in a very limited number of hours. That is not what we are dealing with here. The last thing we want in the 1980s and beyond is people who are competent to shoot other people.

What we must have hand in hand with that are trained people who have the judgement, the experience and the expertise to know when it is necessary and, in a much more real way, when it is not necessary to pull that trigger. There is not one member of this House who would suggest for one second that we should in any way subject our peace officers to any greater danger, to risk their lives in any greater measure than they do now, day in and day out, by a more judicious use of their firearms. But we are setting up that situation artificially if we do not require a substantial and sophisticated level of training in not only the use of those firearms as a mechanical device but also the appropriate use of them in given situations before we assign them to enforce the laws of this province and this country.

Police pursuit is another thorny issue. It is one that comes up every time there is a tragedy. It is one that is a perennial concern for many people. How does one stop them? Where does one draw the line? If an officer stops a car and the person decides to drive off rather than stop, at what point does the constable determine what his crime against society is or if he is only fleeing apprehension?

8:50 p.m.

The tragedies we hear about are those chases that result in injury or death to innocent bystanders or to officers or to the person who is pursued. Even more often than that we hear about cases where, upon reflection and investigation, it is discovered that there was no greater crime against society than perhaps an outstanding traffic warrant. There has been a pursuit, and there has been considerable injury, perhaps loss of life, or considerable property damage, to recover a $28 seatbelt fine.

It is easy to look at those examples and say that is not an appropriate case for a high-speed pursuit. I do not think anyone in this House would disagree with that. But where and how does the officer find that out? What if it is not a traffic matter? What if the fellow is fleeing because he is a felon, wanted in connection with a very serious crime of violence? If an officer cannot make that determination prior to initiating the pursuit, I do not know what judgement he can exercise. Is it better to let 10 speeders go free and one felon go free, than to try to use a judicious process in those situations, to use good judgement and pursue those who may be a threat to society as a whole?

One cannot do it without training. Once again, it is not a matter of learning how to drive a car. I would guess there are 500 establishments in this city alone where one can learn how to operate a motor vehicle. I would suggest further there are 25 establishments in this province where one can learn the very specific and scientific matter of driving a car under adverse conditions, can learn to drive fast with some measure of safety, can learn to drive into hazards with some measure of safety.

It may come as a surprise to you, Mr. Speaker, although I am sure it will not, that one can learn how to stop a vehicle with some measure of safety under a variety of adverse conditions. But at this time, when a person is hired from the street to be a police officer, in some parts of our province he can find himself in exactly that situation, and there is no requirement that he should have the barest rudiments of that specific training. He only needs to have a valid Ontario operator's licence. That is one thing the committee has addressed and it recognizes there must be further study done in that area.

No one on the committee suggested that the work of the Ontario Police Commission was not valid. I acknowledge that when we were down at headquarters during our review, the computer was unable to find the file of the member for Oshawa, and we will never know what was in his file. He seemed quite intrigued to see what might be revealed, but for whatever reason, when the keys were pushed, one Michael Breaugh of the city of Oshawa did not appear. I am sure, on reflection, it probably came as some relief to him, and it came as a relief to all of us as well.

The Deputy Speaker: Point of order?

Mr. Robinson: Mr. Speaker, it is nice of you to suggest to the other side of the House when someone should be incensed or when someone should, in your judgement, rise on a point of order, whatever it might be, and I am sure we would have been interested to learn what it would have been.

The third agency to be reviewed is one in which I have a particular interest: the Toronto Area Transit Operating Authority. We did not have the opportunity in any large way to view the very good facilities that are provided for the maintenance, which in ultimate terms means the continued, ongoing, good operation, of the rail and the bus systems in the greater Metropolitan area.

In anticipation of having a very few, nontime-consuming remarks to make on this report tonight, yesterday I took the opportunity to tour the two major service facilities here in Metropolitan Toronto with the chairman of TATOA, Lou Parsons. If I may take a very brief amount of time, I am sure the member for Oshawa will be interested. The member for Renfrew South (Mr. Yakabuski), who has a great interest in everything that goes on in Ontario, will be even more interested to hear my very brief synopsis.

Mr. Boudria: The member for Renfrew South is not here.

Mr. Robinson: Sorry, the member for Renfrew North (Mr. Conway); merely a hop, skip and a jump away. If he were to accuse me of being from some Scarborough riding other than my own, I know I would be tolerant of him and would understand.

Mr. Breaugh: There are simply no philosophical differences there.

Mr. Robinson: I will go back to speaking to the report so as not to arouse the member for Oshawa any further.

Mr. Breaugh: I object to that. I don't think you could possibly arouse me.

Mr. Robinson: May I say how particularly

grateful I am to have that comment from the member for Oshawa, whatever it may mean.

Mr. Breaugh: I cannot explain it to you now, maybe later.

Mr. Robinson: I would be equally pleased if he did not try to explain it to me later.

Mr. Speaker, back to—

Mr. Breaugh: It seems to be a little late for you to be learning these things.

Mr. Conway: They came to scoff but they stayed to pray.

Mr. Robinson: I am trying to get back to the bill, Mr. Speaker.

Mr. Boudria: Why don't you accept the fact that the Solicitor General (Mr. G. W. Taylor) is not coming back, so we can move on to the Ombudsman's report?

Mr. Robinson: I would have to say to the member for Prescott-Russell—and he and I have some background of experience in matters around this House—that frankly, I have no interest whatsoever in whether the Solicitor General attends tonight. I could well be in my riding tonight attending a very important all-candidates' meeting, a function that is being held there, but I think this report deserves the full attention of the House and I will stay here as long as it is necessary for me to complete my remarks and to hear—

Mr. Conway: I bet David Warner is at that meeting.

Mr. Robinson: No, he is not—to hear what the members opposite may have to say.

Without further ado, I'll get back to the Toronto Area Transit Operating Authority and my tour of their facilities yesterday. I went through their main bus maintenance facility on Steeprock Drive which is a considerable distance north of us on Wilson Avenue. There they service and keep rolling approximately 500 buses in their fleet. They do it with some great measure of science, enthusiasm and good facilities.

I am sure many of us with municipal backgrounds will recognize—we have had a change at the helm, which I acknowledge, although I am sure the Speaker will be equally interested in my remarks as the Deputy Speaker had been—that transit maintenance facilities may not have kept pace with the transit developments across the many years in Ontario. It may be that they are working on sophisticated, modern automotive equipment without the benefit of the tools or the machinery to back that up.

I am pleased to report to the House, and particularly to my former colleagues on the procedural affairs committee, that is not the case with GO Transit. They do not have an immodest facility; they have an efficient facility which is carefully broken down into a variety of functions, to take care of both the daily maintenance of the coaches as they come in, and the timed and mileage maintenance of those coaches as they go on their appointed rounds throughout the course of the day, week and month and also from a point of inventory proviso.

Because of what I would like to think, and I am sure members opposite would agree, has been a matter of shrewd purchasing by GO Transit, particularly on behalf of TATOA, over the past number of years, now they are using a limited number of types of vehicles, manufacturers of vehicles—all Canadian I might add before someone wants to know where they were made; some indeed manufactured by the Orion company in that great riding of Mississauga East. I need remind no one which member represents that riding in this House.

Mr. Breaugh: Who is that masked person? Who is it?

Mr. Robinson: Mr. Speaker, I knew I should not have to tell them who the member was, that they would all in chorus and in concert come across here and tell me exactly who it was, and remind us that it was no less a person, as the member for Renfrew North would want to report to us on other occasions, than the Honourable Milton Gregory, commonly and affectionately known to all of us as Bud.

Mr. Breaugh: That's about as less a person as you can get.

Mr. Robinson: Back to the buses if I may just for a few moments.

Mr. Breaugh: The Speaker didn't even recognize him when he stood up tonight, as if the guy was a total stranger.

Mr. Robinson: As I was saying before being so interestingly interrupted, once again GO Transit, on behalf of and through TATOA, has now limited its fleet to very few—in fact I think it is three—manufacturers of vehicles for which of course they need not maintain so large and varied an inventory of parts and for which they have the specialized equipment and tools to service in very handy order and to restore to full service with the minimum of delay and downtime.

I would certainly recommend and commend to all members of this assembly a tour of that facility to increase their knowledge of bus

service and, more particularly, bus maintenance. As well, in touring that facility yesterday, it was my pleasure to learn that many major commuter bus operators across North America have taken the time to tour that facility—it is not a lengthy tour, but it is a good tour—and have all left suitably impressed.

Mr. Breaugh: That tells you something about your life. A tour of the bus station is a highlight.

9 p.m.

Mr. Robinson: Moving on to the rail facility, which may be of greater interest to the member for Oshawa. I know his propensity and desire for full, heavy-rail service in his community, which is somewhat east of mine in that great lakeshore corridor. He has a modest disdain for the bus commuter service that is available now as it has been for a number of years. I share his enthusiasm for that great, immediate capacity rail system soon to come to his area under the auspices of the Toronto Area Transit Operating Authority and GO Transit.

I refer to the great joint project announced recently by the Minister of Transportation and Communications (Mr. Snow) on behalf of the Urban Transportation Development Corp. which will supply the only suitable vehicles for that particular corridor. I know the member looks forward with enthusiasm to being in the cab of that first vehicle to depart or arrive in the great municipality of Oshawa, if only we are able to build it during his term of office so he may be the incumbent to enjoy it.

Dealing now, if I may, in a more specific way as this relates to the great city of Oshawa, it is unfortunate my friend the member for Oshawa spoke before I did. I am sure he would want equal time to counter many of the points I am making tonight. If he does not counter them tonight, no doubt he will find an opportunity on some other occasion to draw to my attention some of the anomalies and inconsistencies relative to his position that I have advanced tonight.

Mr. Conway: I want to hear Runciman.

Mr. Breaugh: I want to hear anybody else.

Mr. Robinson: I appreciate with sincerity the vote of confidence from the members opposite for my modest and humble remarks tonight. With their kind permission, I will continue.

I had occasion to tour the Willowbrook rail maintenance facility. Impressive as the bus facility was, I have to report on behalf of TATOA that their rail maintenance facility is the envy of North America.

Mr. Piché: He still has not mentioned LRC service to northern Ontario.

Mr. Robinson: I will try to describe in very inadequate words the multilevel service facility designed in such a way that a train in consist, which is a railway term for maintaining the integrity of a whole train by not having to take it apart and put it back together again before and after servicing, they service the whole train as one unit. In the GO Transit fleet, we in this House know how important it is not to delay the worthy endeavours and efforts of those trains.

They have been able to devise a facility and design and construct it in such a way that the entire train can be serviced at one time, with a variety of bays and facilities to accommodate the tractor power and locomotive power, with ancillary functions available to service the coaches themselves, in one unit and at one time. It is truly the most remarkable and innovative facility in North America.

For those of us who have a modest knowledge of what rail transportation and maintenance may have been in the past, it makes a great change from a lone trainman lying in the snow on some oil-encrusted gravel beside a siding track, trying to service a coach that is still in service or one that has been taken out of service. If the members of this House have an opportunity to see that facility, I commend it to them as being very worthy.

Dealing specifically with the recommendations of the report itself and turning briefly to page 20, it is interesting to note the committee heard tales of woe, almost of usury at the hands of Canadian National—that great federal crown corporation, the national railway of this country—in those tales on behalf of Go Transit about the amount that is being charged to us, another crown body, from the interchange of funds from one to the other.

The most flagrant point of all is not that we mind paying the lease price for the trackage, for the crews that operate GO Transit equipment, for the maintenance facilities and personnel who maintain that equipment, but I think there is not one member of this House who would not be incensed to recognize that, of all the money we are paying, there is a certain percentage laid down by that federal crown corporation that is for pure profit.

We are doing nothing more than taking from the taxpayers of Ontario and somehow giving away to the taxpayers of Canada as a whole a percentage for nothing at all in return: for no service, for no facility, for no equipment. We

are simply paying a flat fee, a flat management fee and a flat profit fee to that great corporation, the president and principals of which have been appointed by the Liberal government in Ottawa.

So when they make their annual report back to the House of Commons, they can with some glee point to the bottom line and say, "Look what we took from the taxpayers of Ontario in pure profit and nothing else." I think if anything incensed the procedural affairs committee in its review of those agencies, it was looking at that bottom line and realizing how we were padding that federal pocket with no value to the citizens of Ontario.

That does not come easily and that does not sit well with any of us in this House. In fact, it was the recommendation of our committee, and a very strong recommendation indeed, that the Minister of Transportation and Communications, supported by the full authority of the cabinet, no less a body than the executive council of Ontario, enter into negotiations with the Canadian National Railways with a view to establishing a more equitable contract between the national railway and TATOA. If we accomplish nothing more with this report, this, in real dollars, in saving money for the people of this province, should be the vanguard and our watchword.

It is interesting to note only as a sideline that a subsidiary of Canadian National, a spinoff, if you will, being now the national passenger transportation carrier in this province and the equivalent of Amtrak in the United States, Via Rail, could not manage to get its new train from Union Station to the western extremity of the yards in the city of Toronto on its inaugural run to Detroit. They called it the International, but it could not even make it out of the inner city before it broke down; it could not continue. They did manage to get it going, and I think after some modest delay they were, in fact, successful in arriving in that great city in the state of Michigan.

However, that selfsame body, Via Rail, now wants us to take over more of their unprofitable commuter rail lines. They abandoned them: "We are not making money on them. We do not have anybody to whom we can charge profit. We do not have another crown corporation or agency such as the province of Ontario, the right of Her Majesty in the province of Ontario, to whom we can sit down and dole out the formula."

Here is what the formula says: it is so much per mile, so much per curve, so much for maintenance, so much for renovation, so much for capital expenditure and so much for profit. But they could find no one to do that, no one who would gleefully and willingly with a gun to his head make the commitment on behalf of Ontario to sustain those lines—not the poor commuters who ride those lines every day—so no less a person than the Honourable Jean-Luc Pepin said: "Then we will abandon them. We will simply give them up." Not just the ones here in Ontario; indeed, many of those across this great country fell into that same category.

What are we left with today?

Mr. Conway: What did you have for dinner?

Mr. Robinson: I should say to the member for Renfrew North that I was at dinner this evening with some of the most august members of this assembly, and I think it is only fair to note that, unfortuately, the member for Renfrew North was not one of them. However, I am sure he had greater affairs of state or, if not affairs of state, then affairs of his party, to attend to—

Mr. Shymko: And he enjoyed good Ontario wine, I must say.

Mr. Robinson: —during that particular adjournment. I do not think I enjoyed it quite as much as some others may have done.

It is interesting, though, that now they have abandoned those two rail lines, both of which go through my riding, GO Transit has through this government been able to take over one of those lines, the line through Stouffville to Toronto, to pick up that commuter service. It was my pleasure to participate in the inaugural run of that service some weeks ago, immediately after Labour Day this year. I think those people are well served and, from the standpoint of speed and comfort, better served than they have ever been.

All members of this House will find it truly inconsistent that we as a provincial government should simply have to take over those lines to fulfil a commitment that the federal government no longer wished to address.

9:10 p.m.

Interjection.

Mr. Robinson: Finally, it is worthy of comment—to whoever that sound may have come from; probably my friend the member for Burlington South (Mr. Kerr) because I was going to mention what is happening out his way right now.

The member for Oshawa is now somewhat mobile, likely in an attempt to stimulate his red

corpuscles in heated debate with the Sargeant at Arms and other House attendants over whether I can somehow be removed violently from the chamber before I conclude these modest remarks. I am sure that is not what he is saying.

It is a substantial feather in the cap of this government that within a matter of weeks of the completion of this report, there was a major announcement from the Minister of Transportation and Communications that GO service had been extended in a substantial, growth-oriented and ongoing way to the great community west of this fine metropolis, Hamilton and Stoney Creek, and through to the great city of Oshawa on the east.

Of the agencies we reviewed for the report before the House tonight, the comments on the Toronto Area Transit Operating Authority are to be particularly taken to heart by all members of the assembly.

I will deal only briefly, and I know the members across will be pleased at that, with the Ontario Energy Board. That is something other members may have had greater interest in and have spoken more eloquently on than I can, and I do not deny that for a second. It is fair to say—

Interjection.

Mr. Robinson: I knew I would elicit some comment by saying that which is exactly the reason I said it. However, I would also say, and I think it goes without contradiction, that we as a committee were concerned about the ongoing matter of energy and energy pricing in Ontario.

One thing that came through loud and clear to us during that review was the issue of the monopoly position held by the vendors of natural gas here in our province and reflected across the country. It is with no small measure of concern that hearings were held in the month of August this year to look at some of those pass-through prices on behalf of natural gas vendors. The Ontario Energy Board came to some conclusion on that.

As the future unfolds, we look to an even stronger role for the Ontario Energy Board within the fabric of legislation and government in Ontario. That is welcomed by all of our constituents regardless of what part of the great province they may live in at this time.

If I may say with the indulgence of the House, particularly to my friend the member for Oshawa, the member for Renfrew North and my colleagues on my own side, those conclude my very modest, although I hope considered remarks on the report.

Mr. Boudria: Mr. Speaker, I was wondering if this was a—

Mr. Conway: Speeches like that used to give your predecessor the title of windbag Warner.

Mr. Boudria: Mr. Speaker, I was just saying in a much less eloquent way than the member for Renfrew North that the member for Scarborough-Ellesmere has spoken at length, to say the least, on this topic. I cannot help but wonder if the discussion was simply to consume a certain amount of time in the hope that the Solicitor General would finally get here to make some concluding remarks which he had not had the time to make previously.

While all of these repetitious speeches have been going on, the ninth report of the select committee on the Ombudsman has not been dealt with. I find that unfortunate because I believe there are very serious matters to be dealt with in the Ombudsman's report. I am sure our very distinguished chairman, the member for Leeds (Mr. Runciman), would agree with me that discussion of the Ombudsman's report would be far more useful at this time than anything else we could do.

I am not saying the recommendations of the standing committee on procedural affairs are unimportant. I am only saying that some of them have been expressed at length already.

I would like to make only a few remarks on the summary of recommendations in the report of the standing committee on procedural affairs. I would like to comment first on the recommendation which says, "The Minister of Consumer and Commercial Relations ensure that those individuals appointed to the board come from a cross-section of the Ontario community."

I recognize that in the past there has been this great dilemma with the Ontario Board of Censors. On the one hand, we do not want to expose the population of Ontario to violence and to very explicit sexual scenes and so on in films and even on television. We do not want to appear to encourage a climate where some people in this province are exploited by others. We all share that concern.

On the other hand, there is the other concern which says any kind of censorship is an infringement on individual rights. It is difficult to rationalize those two points of view. I can appreciate that and I have often thought seriously as to which side of the issue should be taken by each and every one of us.

The point in that recommendation that strikes me is the expression "cross-section of the Ontario community," because it is quite evident to me

that the prevailing values of people living in one part of this province may be somewhat different from those of others living in another part of the province. The same applies throughout our whole country.

I do not think I need remind anyone here that the censorship laws in Quebec are certainly not as strict as they are in this province. A number of years ago, there was a television station in Hull, Quebec, which is right across the river from the great city of Ottawa and near my constituency. There was a channel in Hull, channel 30, that showed on Friday nights what we would call blue movies, perhaps better known as soft-core porn movies, or something of that nature. Needless to say, the movies had a very large audience. The movies were in the French language but I suspect some people who watched them may not have understood every single word that was said. I am sure they captured vividly the intent of what was in front of them on the television set.

At one point, a very unusual thing happened to that television station. The city of Ottawa police crossed the river into Quebec and charged the television station in Hull for broadcasting an obscene movie in Ottawa, across the river, by means of a television signal. That describes the situation one has sometimes with different sets of values in different parts of our country. Depending on one's ethnic origin, language, religion and so on, the belief as to what should be censored or what should not be seen may not be the same in each part of Ontario.

In his appointments to the board of censors, I hope the Minister of Consumer and Commercial Relations will take that into account and perhaps place on the board members from various areas of the province so they can be in a position to assess the fact that not all Ontarians are alike, and that what may be constituted in one part of our province as being something which should not be televised or should not be in a film, in another part of the province may be somewhat more acceptable.

There are those two views to be reconciled. Possibly by having a greater cross-section of Ontario, we will be able to arrive at judgements which are fairer to the population of our province.

9:20 p.m.

I read with great interest the recommendation with regard to the Ontario Police Commission and the training of police officers generally. I would like the members to take note of the following recommendation. "A system of training of all police officers be made compulsory prior to their being hired by the local force."

I need not remind members of this Legislature that recently the standing committee on social development had extensive hearings on the issue of wife battering. When we had those hearings, it became apparent to all of us that police were not nearly as well trained in the area of crisis intervention as they should be.

Not only should all police officers receive more formal training, because as we know some of them receive little, but even those who go through the full Ontario Police College training program are ill-equipped in the area of crisis intervention. I believe that should be underlined at this time.

When we are discussing the training of police officers, I also think we should take into account local needs, needs which are perhaps not as well fulfilled in certain parts of our province as in others. I can only give some examples of the hearings of our committee which identified that one of the great unfulfilled needs of certain people in this province was linguistic.

The native people often have police officers attending to their needs who cannot speak their language. The most striking example, certainly to me, is the lack of Ontario Provincial Police officers and police officers in general who are able to do crisis intervention in the French language. That is of particular concern to the people of my constituency, with the high ratio of unilingual francophones living in my area.

The member for Cochrane North (Mr. Piché) was here a few moments ago. Perhaps he has stepped out momentarily. I am sure that would be of equal concern to him in his area because, as we all know, he also has a high percentage of francophones in his riding. I believe it is of the order of 70 per cent.

Those are two areas which I believe are of particular interest to the people of this province and more specifically to the people of the riding of Prescott-Russell.

Mr. Speaker: The motion before the House is for adoption of the report of the standing committee on procedural affairs on agencies, boards and commissions. Is it the pleasure of the House that the motion carry?

Motion agreed to.

REPORT, SELECT COMMITTEE ON THE OMBUDSMAN (continued)

Resuming the adjourned debate on the motion for adoption of the recommendations contained

in the ninth report of the select committee on the Ombudsman, 1981.

Mr. Speaker: The member for Leeds.

Mr. Conway: The only independent spirit over there.

Mr. Runciman: Mr. Speaker, I am pleased to see the member for Renfrew North here. He never misses one of my speeches. It really makes me feel good.

Mr. Conway: There are few things I enjoy more thoroughly.

Mr. Runciman: As chairman of the select committee on the Ombudsman, I am pleased to lead off tonight in the debate on the committee's ninth report.

Before getting into the substance of my remarks, let me say that although the committee is happy the report is to be debated, the members join with me in hoping we will not always have to wait 10 months between the tabling and debating of future committee reports.

We all recognize the demands on House time are endless and that the House has many important matters to deal with. By the same token, though, the House has delegated to us the important task of reviewing the work of the Ombudsman who is, after all, a servant of the House.

As I will explain later, it is particularly important that the assembly be given an opportunity to pass judgement on the committee's recommendations in order that what we call in the report "the Ombudsman process" be completed. Certainly the Ombudsman and his staff, as well as the government agencies affected by the recommendations, are most anxious that the House offer its opinion on them and either adopt or reject them.

Many members of the House, particularly but not exclusively those first elected last year, have had little exposure to the committee and it is quite understandable if they probably have only a vague idea of what the committee does. For this reason, the principal thrust of my comments this evening will be on the nature of the committee and its work. At the outset, I wish to emphasize that not only is the work of the committee unique but so is its approach to its work.

When I was first appointed chairman and began to read up on it, I was struck by the reputation it had developed over the years for being nonpartisan and for being fair and even-handed. I have tried hard to maintain those admirable traditions and with the co-operation of the members, who prize the committee's nonpartisan approach as highly as I do, they have with one or two minor exceptions been maintained.

To backtrack a bit, the members should recognize that although we tend to think of a select committee as being temporary, the select committee on the Ombudsman actually originated in the summer of 1976. Members may also be interested to know that although many jurisdictions in the Commonwealth, including nine of the 10 Canadian provinces, have Ombudsmen, very few have anything like a select committee. There is a similar committee at Westminster, and Alberta has a committee which deals in part with its Ombudsman, but I am told it is not in anything like the way our committee does.

Although our committee occasionally makes headlines, for the most part the press find our proceedings unworthy of attention. I do not say this by way of appeal to the media to pay closer attention to the committee, for I am a realist in those matters and recognize that our work is important but not too exciting. Rather my point is to pay tribute to the members of the committee who put in long hours and deal with highly detailed and sometimes confusing problems with precious little expectation of any sort of political payoff.

It is to be hoped they do the work, which can frequently be quite tedious and time-consuming, because they believe in the importance of the Ombudsman process in Ontario. By and large, the work is its own reward and I feel the committee members should be commended for the dedication they bring to it.

The report we are debating contains eight substantive recommendations on which the House will be asked to pass judgement at the end of the evening or perhaps next week. I do not feel it is my role to argue the pros and cons of those recommendations. The report itself indicates the committee's thinking leading up to the recommendations. Also, I am sure others speaking after me can present the arguments quite ably. I would, however, make two general points.

First, although there was disagreement within the committee on specific recommendations, the report contains no dissenting opinions. For me this is very much a measure of the committee's nonpartisan nature. Second, if I refrain from arguing in favour of the recommendations I have no hesitation in urging members to consider the recommendations very carefully.

In this regard, let me quote from pages 2 and 3 of the report:

"As a matter of general principle, the committee does not consider that a single decision of the Legislative Assembly to reject the recommendation of this committee will undermine the Ombudsman's authority and effectiveness. However, the committee believes that such a decision by the assembly should only be taken in exceptional circumstances and only when, after a full debate has occurred, the Legislature is able to conclude that the implementation of the committee's recommendation would, in the circumstances, be contrary to the public interest or be contrary to some generally recognized principle of law.

"The process that has developed between this committee and the Legislative Assembly respecting Ombudsman recommendations requires that all relevant committee recommendations be adopted by the Legislature unless some substantive reason to the contrary can be shown. It is absolutely vital to the continuing viability and effectiveness of the Ombudsman process that this be so. If a situation were permitted to develop whereby rejection of such committee recommendations were the norm, or were made for some capricious reason, the Ombudsman's effectiveness in the eyes of the governmental organizations and the people of the province of Ontario would be irreparably harmed."

9:30 p.m.

I should draw the members' attention to the implications of recommendation 7, which states, in essence, that the select committee on the Ombudsman, rather than some other committee, usually the standing committee on general government, be authorized by the House to consider the estimates of the Office of the Ombudsman. This would, of course, be only after the Board of Internal Economy reviewed the estimates.

It was noted in our report as long ago as 1978 that the Board of Internal Economy recommended that the select committee be the committee to examine the Ombudsman's estimates. As the House is aware, the committee has recently been refused access to certain budgetary documents by the Ombudsman. The committee intends to deal with the important issues raised in this matter in its next report and, therefore, I will not go into the merits of the committee's request and the Ombudsman's refusal. However, it is my understanding that if the House agrees to recommendation 7, the Ombudsman will provide the information to the committee.

Without, as I say, going into the merits of the case, let me correct one widely held misapprehension about this matter. It has been repeated in the press that the committee wanted information on the salaries of the Ombudsman's staff. Aside from the fact that all senior staff salaries are a matter of public record and may be found in the public accounts, we specifically excluded individual salaries from the information we requested. I want to get that on the record.

In part because the disagreement between the Ombudsman and the committee received such notoriety, I wish to put on the record some comments about the Ombudsman and his office. While there have been and doubtless will always be disagreements of this nature, I have no hesitation in saying that for my part I have the greatest respect for the integrity and dedication of our present Ombudsman, the Honourable Donald Morand, and for the calibre of his staff.

To paraphrase the comments on page 8 of the report, while the committee will continue to comment critically on the Ombudsman's procedures and approaches, particularly those relating to the length of time taken by the Ombudsman to deal with complaints, it will do so in the recognition that the operation is already first-class and in the belief that the Ontario Ombudsman's office can and should be the best anywhere.

From a similar viewpoint, let me recognize the Ombudsman's very welcome decision to be present for more of the committee's latest hearings than he had been accustomed to attending, as we requested in our ninth report.

I would like to turn briefly to the process of the committee in dealing with the detailed review of specific cases mentioned in the Ombudsman's annual report. This is a phase of our work that receives the least attention but is the most time-consuming and, some would say, the most important. Every year the Ombudsman's report contains a number of case summaries that set out, without using anyone's name, the complaint, the actions of the Ombudsman's office, the Ombudsman's conclusions and the response of the government organization against which the complaint was made. Most of these case summaries are illustrative only, that is, they show the type of work done by the Ombudsman.

These are cases in which either the Ombudsman did not support the complaint or, if he did support the complaint, the government accepted his conclusions and implemented his recommendations. A small number of case summaries

are significantly different. These are the so-called "recommendation denied" cases in which the Ombudsman agreed with the complainant but the governmental organization refused to implement the Ombudsman's recommendations.

In the most recent report of the Ombudsman, 1981-82, of the several hundred cases in which the Ombudsman supported the complainant, in only eight instances did the organization refuse to comply with his recommendation. In the previous year there were only two. But, if there are few such cases, they are extremely important since they raise the question of what happens when the government refuses the Ombudsman's recommendation.

The Ombudsman has no power to enforce his recommendations. This is where the committee comes in. The committee has made it a practice to review every recommendation-denied case. This involves the Ombudsman making available to the committee documentation on the cases. For the most part, this includes correspondence between the complainant and the Ombudsman and between the Ombudsman and the governmental organization, setting out the facts of the case, points of agreement and disagreement and differences of interpretation and conclusions.

This material is provided to the committee with all names and identifying references removed, so that the anonymity of the complainant is preserved. Neither the members of the committee nor the committee staff know the identity of the person whose case is being reviewed.

With this documentation before it, the committee calls in representatives of the Office of the Ombudsman and of the ministry or agency concerned. The facts are brought out, the steps of the Ombudsman's investigation detailed and the basis for all conclusions and interpretations of facts are set out by questioning of both sides, if I can use that term.

When everyone has had his say, the committee attempts to decide between the case made by the Ombudsman and the case made by the government. Occasionally some sort of compromise is proposed. In this process the committee attempts to be thorough and fair, but it is not exactly neutral. I could quote from the report, but I do not think I will this evening, that we are slightly weighted in favour of the Ombudsman. There is no question about that.

Once the committee has reached a conclusion on a particular case, it makes the appropriate recommendation in its report to the House and asks the House to pass final judgement, as is being done here tonight.

It is in this sense that former Ombudsman Arthur Maloney spoke of the committee as an important arrow in his quiver, for the Ombudsman has no formal powers to enforce his decisions. This process means that the administrators who refuse to comply with his recommendations must justify their refusal before a committee of elected members, and ultimately before this House itself.

To quote again from an earlier committee report, "By this process, the Legislature has now demonstrated to the Ombudsman, the governmental organizations under his jurisdiction and to the people of the province of Ontario that in the appropriate circumstances the Legislative Assembly of the province will do everything within its competence to see that the Ombudsman's recommendations are implemented."

I want to touch briefly on one other area of committee activity before concluding and that is what the committee calls "communications from the public." Every year the committee receives a number of complaints about the Ombudsman and his staff. For the most part, these are from people who disagree with the Ombudsman's conclusions or who find fault with the method of operation of his office.

All such communications are reviewed on their merits by the committee. The Ombudsman has been most co-operative in providing information and documents to the committee. In very few instances has the committee concluded that it should pursue the matters raised by the individuals who contact it because, in the final analysis, most of these are essentially disagreements with the Ombudsman's conclusions.

The committee has consistently refused to act as a court of appeal on the Ombudsman's decisions or as an ombudsman on the Ombudsman. We simply do not see this as the function the Legislature intended for the committee. It is stated in our report that the committee will continue to receive and consider these communications from the public, but will take action on them or invite the communicants to appear before the committee only if it believes the matters raised are relevant to the committee's terms of reference.

In case members are wondering about the committee's work in the field of international human rights stemming from the order of the House of October 13, 1981, I wish to state that the committee has a draft report and hopes to finalize its report and have it before the House within a few weeks.

I would also like to mention that the early recall of the House forced the committee to postpone a trip to northern Ontario during which we planned to visit the Ombudsman's regional offices in North Bay and Thunder Bay, several Indian reserves, as well as correctional and psychiatric facilities. All members were looking forward to this trip and I want to emphasize that we have postponed it, not cancelled it.

In conclusion, let me state again that this committee does good work, important work and I am honoured to be its chairman.

Mr. Van Horne: Mr. Speaker, before I present my remarks I wonder if I missed something at the beginning of the comments of the member for Leeds. Did the member move the adoption of the report and the recommendations contained therein?

Mr. Speaker: Yes, he did.

Mr. Van Horne: Thank you. I would like to preface my remarks with a compliment to the member for Leeds for his excellent job as chairman of the select committee. He was forthright, candid, a good manager of time and director of the people and thought traffic that flowed through that committee the various times we met in this past year.

9:40 p.m.

I do not want to spend too much time going back over ground he has already covered—the recommendations, denied cases and the importance of the role of the committee. I think he has adequately covered the content of the report and the role of the committee. However, it is rather difficult for me in a very few words to express the depth of feeling I and, I am sure, other members of this chamber have on the whole theme of the Ombudsman as it has unfolded in recent days, weeks and months.

I have always believed the average citizen—the little man, whatever that person is called—who is periodically beaten down by bureaucracy should have some court of final appeal that is not going to cost him a lot for legal advice etc. I believe that feeling is somewhat the same as what members of our caucus had back in the mid-1970s when the office of the Ombudsman was being discussed in principle in this chamber. Then members, such as the late member for Sarnia, Mr. Bullbrook, felt very strongly, as I do, that there should be some court of final appeal for the man who has been the recipient of the whip end of bureaucracy. In fact, I do not think there is any question, from the time of the inception of the Ombudsman as a legitimate office, that all members have felt they have been ombudspersons of sorts.

It is difficult for me to suggest that the office of Ombudsman has never been totally equal for the individual members acting in that capacity. There is always that extra little impact that a member of the government party has over an opposition member. It is a fact of life. They have better contacts and a little more influence within the government ministries and those corridors of power that have been alluded to by former cabinet ministers from time to time. Even though I think we have all agreed with the concepts that individual members are ombudspersons, there has been a different level of effectiveness for the government side versus the opposition.

When the Ombudsman office came into being in 1975, I think government members were a bit relieved. It would take away that negative aspect, from their view, of having just a bit extra over the opposition members. This office then would be a sort of neutral ground to which any person in the province might go. Of course, members of the opposition were delighted, because that person within their community who in the past may not have had quite an equal chance in dealing with bureaucracy may have been put in a better position because of the neutrality of the office.

However, it is a matter of great concern to me that the way the Ombudsman has treated the select committee in recent days detracts from that neutrality in a sense and puts the whole Ombudsman theme in a shadow I find very difficult to contend with.

What I am trying to say in a rather awkward way is that when the Ombudsman determines that he or his office will not provide members of the select committee with certain information it requires or desires, when he determines that it is none of our business, he puts all of us in a very difficult position and removes himself from the authority of this chamber. He is setting himself aside as an authority above and beyond the chamber, and I am not sure that was the intent of this Legislature when the office was brought into being.

Simply put, the function of the Ombudsman is to investigate any decision or recommendation made or any act done by or omitted in the course of the administration of a government organization and affecting any person or body of persons in his or her personal capacity. That is his authority.

Further to that, subsection 16(1) of the Ombudsman Act points out that the assembly may make general rules for the guidance of the Ombudsman in the exercise of his functions under the act. Without going into a lot of detail, I think there is very clear evidence there that the authority of the select committee, as an extension of this chamber, can be found in that section of the act.

I have already made reference to the fact that every member of this chamber is an ombudsperson of sorts. We are the real ombudspersons. The Ombudsman, on the other hand, in the office created by this chamber, is the appointed person.

Given the way he has approached the office, I am sure many people are wondering whether this is just another level of cover for a government that has been in power for many years. It has been pointed out to me by some sceptics in the communities I visit from time to time, including the community in which I live, that the Ombudsman is just another buffer to cover the government.

The government can say: "We try to be evenhanded, honest and forthright with the citizens of this great province. Sure, from time to time a civil servant makes a mistake or the law knocks the little guy a bit, but look what we have done. Not only are we fair in setting up constituency offices for members of the Legislature, but we have also established the office of the Ombudsman, the court of last resort for the little guy or the little lady to which he or she can go and be treated fairly."

The sceptics can say, "The Ombudsman's office is just a creature of the government to give the government the appearance of being honest."

9:50 p.m.

I am going to read the select committee's terms of reference into the record. The terms of reference are that: "A select committee on the Ombudsman be appointed to review and consider from time to time the reports of the Ombudsman as they become available and as the committee deems necessary purusant to subsection 16(1) and to formulate from time to time general rules for the guidance of the Ombudsman in the exercise of his functions under the Ombudsman Act and to report thereon to the Legislature and to make such recommendations as the committee deems appropriate."

When we see that as our order of reference, and the authority that is there for the committee, and then realize that the reports of this committee which are tabled regularly in this chamber are often left for periods of eight to 12 months before they are even considered in the House, the chairman of this committee, again the member for Leeds, has been very patient with his colleagues in dealing with the particular report we have in front of us tonight.

I do not think anyone more than he would have liked to have had this dealt with much earlier than we are dealing with it now because this report, essentially, is one year old. What the committee has been doing is carrying on, in the course of this past year, with another report dealing with a situation that is very awkward in terms of the issues. There has been animosity to a degree—"animosity" may be too strong a word, but I think it is fair to say that there has been friction between the Ombudsman and some members of the committee in terms of who has the authority to do what.

The sceptics can ask: how important is that committee as the link between the office of the Ombudsman and the chamber, if that link is being allowed to rust, and its reports are sitting there for a year before they are even dealt with in the House? How important is it? It is really just a charade. The office of the Ombudsman and the select committee are charades.

That is a growing concept which bothers me, because in the beginning I believed in the office of the Ombudsman. I believe in the role of the members as ombudspersons in a sense, but the broader court of appeal that is the office officially set up by this Legislature is being put in a considerable shadow by the way it has been dealt with in this chamber. I think we all have to take cognizance of that.

The recent events—the Ombudsman and the judgement of the person in that office—I think, detract from the office. I am referring specifically to the problem that we, as a committee, had in obtaining information from him as to the details of the salary paid to his staff which was requested by my colleague the member for Prescott-Russell (Mr. Boudria).

There was some concern from members of the third party, particularly the member for Etobicoke (Mr. Philip), about details of the trip the Ombudsman and some of his staff took to the Pacific region, including Fiji, Hawaii, etc.

The final item of concern that came out of the fencing that went on as we were trying to get this information was the revelation that some of the relatives of the Ombudsman had been hired within his office.

The ultimate criticism that comes out of this is a question of the judgement of the Ombuds-

man and the people who are his senior advisers. I have to submit that has put the whole office in considerable shadow. It is for that reason that I have presented a resolution to this chamber asking that the Provincial Auditor be required to perform a comprehensive audit, including a program of evaluation of the functions and administration of the Ombudsman's office.

If we do not get to the point in this chamber of having the recommendations of our report adopted by the House—and they have been ignored; they have been presented to the House, but they have been ignored over the years—if they are going to continue to be ignored, then only such a resolution as the one I have presented is going to bring the focus on to the problem that we have.

I think we all realize that the resolution may not of itself do the job, but certainly it will see the issue raised through a committee, such as the standing committee on public accounts, or perhaps by a cabinet minister who might feel so inclined; and, as I understand it, the auditor will act on direction from a cabinet minister or from that committee.

Only a resolution passed and debated at some later date in this House, if necessary—if we do not adopt the recommendations in this report—will bring some focus on to the issue. We simply cannot carry on, and it would be a farce for this committee to carry on with the situation as it now exists with none of the recommendations really being acted on.

The larger question is the credibility of the office. It bothers me to have to say that, but it is where we are. We have argued over whether the Ombudsman should present the information we requested to the committee. There have been long arguments within committee about where we get our authority etc. I have tried to indicate very briefly that we can see in subsection 16(1) that there is authority there.

I want to refer briefly to some of the notes that we as a committee considered, which were presented through our staff and through people who worked along with our committee to give us some background. The essence of the argument seemed to many people to be how broad was the order of reference of the select committee on the Ombudsman.

On the one hand, the order of reference cannot mean, in effect, all matters relating to the Ombudsman or else it would have said so, rather than being couched in specific terms, terms such as "reports of the Ombudsman" or "formulate general rules for the guidance of the Ombudsman in exercise of his functions under the Ombudsman Act."

On the other hand, it is the experience here in Ontario that Ontario legislative committees have with little or no objection given quite broad interpretation to their orders of reference. Inquiries conducted as a consequence of references under standing order 33(b) are important parallels to the matter at issue. Under this procedure, an annual report of a ministry or agency is referred to a committee for examination and an inquiry conducted, which might well be considered in a narrow interpretation far beyond the scope permissible in the examination of the report.

A concrete example was given to us in the standing committee on social development's consideration of the annual report of the Ministry of Community and Social Services, which is taking the form of a wide-ranging investigation of family violence. Many similar instances could be provided.

Accordingly, the argument could be made that since the Ombudsman's annual report makes reference to staff levels and attendance at various conferences and meetings, it follows that more detailed information may be requested by the committee on these matters; and this is what happened. This is what the members of the committee were requesting. The member for Prescott-Russell and the member for Etobicoke requested that.

10 p.m.

Further, since reports of both the committee and the Ombudsman have long been concerned with questions of backlog of cases and length of time for resolution of complaints, it could be concluded that the deployment of the Ombudsman's resources in response to these concerns is a matter for the committee and that the deployment of financial resources is not so much different from the deployment of human resources on which the Ombudsman has provided the committee with information.

The issue, in part, is the possible significance and implications of the reference in subsection 16(1), the rule-making provision in the Ombudsman Act as to his functions, and its relation to subsection 15(1) of the act, which sets out the singular function of the Ombudsman.

We get hung up on legalities in committee, in fencing back and forth as the committee tries to do this job and get information. One of the things that has been presented to us, and the chairman made reference to it, was the trip the committee was supposed to have made to

northern Ontario this fall, to take a look at the regional offices of the Ombudsman in North Bay and Thunder Bay, to see how they work, how effective they are and the role they play in the overall role of the Ombudsman's office.

These two regional offices could well develop into four offices. Funds are required for those. Someone has to give the approval for the expenditure of those funds. Surely, in the job the select committee is trying to do, consideration of the efficiency of the office would give the members of the committee, as members of that committee, or members of another committee which has to do with the estimates and the moneys spent, some determination as to whether that money would be well spent.

For whatever reasons, the Ombudsman has determined that he would like to take us on a trip but that we cannot find out the dollar details. Nor can we find out the dollar details about other things going on in his office, such as the visits to Hawaii and Fiji.

The issue, I think, has come to a head. I do not think we can carry on effectively unless we have the recommendations that are presented in this report adopted and unless the Ombudsman reviews the situation and determines, as he well should, that he is a servant of this Legislature. That is not to suggest for a minute that in the role of what he does in investigating cases brought to him, he should not be independent in looking into those complaints.

Let us go to the recommendations, particularly recommendation 7, on page 48 of the report; it recommended that the committee's "order of reference be amended to provide that it receive and consider all estimates and supplementary estimates of the Ombudsman and to report thereon to the Legislature with whatever recommendations are considered appropriate."

If that is not accepted, as opposed to being presented and simply tabled, then we have to move to my resolution. If that resolution is not accepted, I think there is only one alternative, which is to disband the select committee on the Ombudsman and to give serious consideration to the Ombudsman's office itself. If it is not able to stand up to scrutiny from within this chamber, it too must disappear.

I feel very strongly about that. We simply cannot have that office being the authoritarian office it is, setting itself up to be so separate from this chamber. The chamber does not and never has intended to interfere with its investigative role. But he is spending public dollars and he had better be answerable for that expenditure.

Mr. Philip: Mr. Speaker, I rise to speak on this report with somewhat mixed emotions, in the sense that I am pleased with some of the excellent work that has been done by this committee, which has worked in as nonpartisan a way as I have ever seen any committee of this House work.

I feel pleased about this work. It has sometimes been said that we, as opposition members, can afford to be nonpartisan because practically any work any committee does is bound to show up the government in some way. In a certain sense I suppose that is true. Yet, if we look at the way the Conservative members worked on that committee, it was as a very integral part of the team. They worked as people who were deeply concerned about the way in which the committee should fulfil its functions. To the credit of the Conservative members, as well as to all the members, I think they served the public well.

As has already been said, our chairman did an excellent job. He held the respect of all members regardless of party. I am sure that as he presents a consensus report tonight, he feels a good part of that was due to his efforts as well as to those of all members on the committee. Even when we disagreed on the committee, we were able to reach a consensus by working out some of our disagreements and by giving and taking.

I am also pleased about the excellent and untiring work of our clerk who was always available to committee members, who was constantly on top of things and who did an excellent job.

When I look at the work of the committee, I cannot help but think that without the efforts of our counsel, John Bell, we would never have got through the tremendous and heavy case work our committee had to deal with. Mr. Bell was not only organized but I think he was, at least at most times, fairly equal and balanced in the counsel he gave us.

It was on May 14, 1981, that the eighth report of our committee was debated. In our report, we decided to support the Ombudsman in his recommendation that the Workmen's Compensation Board alter its interpretation and application of subsection 41(2) which is now 41(3) of the Workmen's Compensation Act. The Minister of Labour disagreed with our position and the Legislature supported the minister.

The chairman talked about this earlier. To his credit, he faced this problem head on in his remarks this evening. Our report this time deals with some of the soul searching and problems

our committee was faced with having had the Legislature, in a sense, overrule us.

If our committee is to operate in a nonpartisan way, I must caution the House, as did our chairman, that we all have to look very seriously at what happened that night.

The minister advised the Legislature with regret that the legal opinions of his ministry disagreed with those of the Ombudsman as well as with that of the select committee. Our committee believes such a decision by the assembly should only be taken in exceptional circumstances and only after, as our chairman mentioned earlier, there has been considerable debate and considerable understanding by all members of the House as to what is being done and why the committee is being overruled.

10:10 p.m.

To do otherwise is to take away from the nonpartisan nature of the Ombudsman committee. Why should I spend a lot of time trying to convince the member for High Park-Swansea (Mr. Shymko) of the merits of some argument that I am trying to make to him, if I know that even if I convince him or even if we reach a compromise of some kind, the member for High Park-Swansea and I will be overruled by the House? The government can use its majority, or more particularly the cabinet can use its power to defeat whatever we agree to. For it to do so hurts the member for High Park-Swansea because he feels that his opinions, which he shared in a nonpartisan way, will not have any effect and in fact he may be embarrassed by his own government in the House. More particularly, it also makes the opposition feel, as the previous speaker for the Liberal Party, the member for London North (Mr. Van Horne), has pointed out, as though the whole exercise is futile.

I mention this only in the context of this report today. Other members of our committee are united in the position that we have taken in our next report. Our next report may not find favour with all members of the House as does the present one. Indeed, it may not find favour with the cabinet or with certain members of the cabinet, but I warn those members and other members that a defeat of the next report will create more than the momentary peril and upset that happened with our last report. It will be, as the member for London North has pointed out, to ask some members of the committee whether or not it is worthwhile going through the exercise.

The Ombudsman is of the opinion that his office ranks as the best in the world. The committee's opinion is that this may well be the case, but it still remains the case that many people in the public have sought assistance and do not feel well served in terms of the time that it takes to get service. The only way that our committee can make constructive suggestions on the way in which that Ombudsman's office delivers the service is to have some knowledge of the expenditure of moneys on various activities and to be able to offer constructive criticism as has been done in the past.

I would like to deal with that in some detail in a couple of minutes, but I can say that what is needed by the Ombudsman's committee is access to the information. This is not because we want to say to the Ombudsman, "No, you are not going to get X number of dollars." We recognize that is the duty of another committee and another body in the Legislature, but we need the information we are seeking in order to be of assistance to him and to the Legislature in providing constructive criticism and to help him improve the service. It is therefore unfortunate that the present Ombudsman chose not to provide that kind of information.

Members of the committeee also feel that the Ombudsman is an office that is looked up to in the province. It is therefore unfortunate that he chose to be indiscreet in certain hiring practices. It is unfortunate that he also chose to misrepresent the position of this committee publicly on the CBC.

But we are facing the advent of a new Ombudsman. We look forward to working with that new Ombudsman, and we hope we will be able to do so with a new set of opinions and with a fresh outlook.

On May 29, 1980, my colleague the member for Riverdale (Mr. Renwick) moved a motion which read: "That this assembly request the select committee on the Ombudsman to consult with the United Nations Commission on Human Rights, Amnesty International and the International Commission of Jurists and others, if advisable, with a view to reporting to this assembly on ways in which this assembly may act to make its voice heard against political killings, imprisonment, terror and torture."

That was quite an ambitious resolution for a provincial Legislature, but our committee took it seriously and, Mr. Speaker, I am sure you will look forward to our report dealing with that. Unfortunately, because of the very heavy load and because of the complexity of this problem, it will appear very shortly in our next report. I can only assure you that this instruction from the House has been taken seriously by your

committee, and all members of the committee are very concerned about this particular issue.

In conclusion let me say this. The cases that have been before our committee, the recommendations we are making, are self-evident. I think the fact that all members of all parties have come to an agreement on our recommendations shows that we have taken our responsibilities seriously, and I will not go through each of the cases.

I am particularly concerned, as a member who represents a number of injured workers, about those recommendations dealing very directly with the Workmen's Compensation Board. I can assure members that we have dealt with each of the recommendations, each of the matters brought to our attention by the Ombudsman, in considerable depth, and all of our recommendations deserve the unanimous support of this House.

Once again I congratulate the chairman on his role in presenting an excellent report.

Mr. Gordon: Mr. Speaker, I am pleased to have this opportunity to participate in the debate on the ninth report of the select committee on the Ombudsman.

First I would like to take the occasion to thank on behalf of the members of the Legislature all of the members of the select committee for the excellent report they have submitted for our consideration. The amount of work, thought and reflection that went into its creation is evident to anyone who has read the report. I think that all too often we fail to appreciate the dedication and effort we demand of committee members when we charge them with the responsibility of reviewing some policy or agency of government.

There is a well-known definition of a committee. As the member for Renfrew North (Mr. Conway) would no doubt appreciate, it is defined as a group of the unfit appointed by the unwilling to do the unnecessary. A committee is generally thought to be a group of people who meet to keep minutes and waste hours and is seen as the most effective device ever devised for killing time.

Some of my colleagues on the other side, of course, would agree with that. Nevertheless, all kidding aside, I do not want to inflame those people on the other side, so I will just say I was pulling their legs a little.

Interjections.

Mr. Gordon: Just a little. On this evening of elections and so forth I would not want to prolong this debate on the Ombudsman, and, judging by the report, none of those definitions apply in this case. So, Sean, you do not not have to worry, even though the people in Sudbury are still wondering about the wild statements you made.

10:20 p.m.

The Acting Speaker (Mr. Cousens): I call upon the honourable member to refer to other honourable members by their constitutencies.

Mr. Gordon: Fine, it should only take me about 10 minutes to look up the constituency.

The members of the committee have diligently and intelligently carried out the important task assigned to them by this House. I trust we will be able to give this report the serious consideration it so manifestly deserves.

I would personally like to commend the efforts of my colleague the member for Leeds (Mr. Runciman) who served as chairman of the select committee. The job of chairman is a demanding one. It requires the patience of Job, the wisdom of Solomon and the ability to keep one's head while all around one are losing theirs.

The member for Leeds obviously possesses these attributes. I congratulate him for a job well done and for having survived the experience in fine form. I would like to say to his spouse, who I notice is in the House tonight, that I make these compliments and say these things because I truly believe he has these attributes.

Referring to the report itself, I was particularly pleased to note that the committee members felt it incumbent upon them to reaffirm their support for and commitment to the principles which have historically shaped the relationship between the Ombudsman and the governmental associations, and the Ombudsman and the Legislature.

We do not see the members sitting on that select committee flip-flopping the way Broadbent has flip-flopped in talking about doing away with those industries that can no longer compete, such as resource industries, saying, "We will tax them into the ground." On the other hand, in Sudbury we have the other New Democrat saying we should subsidize nickel. These contradictory statements on the part of the New Democrats show they are losing their sense of cool, while all around them keep their heads. In bad times, the NDP scuttles for cover.

I share the committee's view and I applaud the fact it took the trouble to remind this House it is vitally important for the credibility, efficiency and integrity of the office of the Ombuds-

man that these principles continue to govern our relationship in the future.

I would go as far as to say it is imperative it do so if the Ombudsman is to be able to discharge his duties effectively. I suggest the office of the Ombudsman is of even greater importance today than it has been in the past. I am told that the term "ombudsman" has its roots—

Mr. Philip: If the people in Sudbury catch up to you they will deal with you the way they did another turncoat Liberal tonight.

The Acting Speaker: Order.

Mr. Gordon: It is just the brain of—I will not even say what it is, on the other side there. I am told the term "ombudsman" has its roots in the old Swedish word "ombun" which roughly translated means the power to act for others. This neatly expresses the essence of the ombudsman's role in our society.

The ombudsman is an official intermediary between citizens and government who acts to allay injustice and impersonality of the bureaucracy. It is, as the late Professor Rowat, the foremost Canadian authority on the function of the office of ombudsman, has pointed out, "A novel and uniquely appropriate institution for dealing with the average citizen's complaint of unfair administrative action."

The ombudsman acts to minimize bureaucracy, to protect the citizen from any abuse of administrative power. To do this, at times he even has to bite the hand that feeds him. In today's world, governments—

Mr. Martel: I know. That's why you're biting Inco's hand. They gave you $500, didn't they?

Mr. Gordon: It is rather interesting to watch how happy the two NDP members from Sudbury are when the Inco officials put their names into that nice little bulletin the president of the company puts out. You never see the member for Sudbury in that bulletin. You only see the New Democrats eating out of the hands of Mother Inco. It is such a shame, such a shame indeed.

Mr. Martel: Didn't you get $500 from Inco for your campaign? How much did Inco give you?

The Acting Speaker: I ask the honourable member to keep his remarks to the Ombudsman's report.

Mr. Martel: Why don't you tell the House they gave you $500?

The Acting Speaker: Order. I now call upon the member for Prescott-Russell.

Mr. Boudria: Mr. Speaker, I hate to interrupt such an interesting debate on the—

Mr. Gordon: The way you suck up to Inco is a delight to behold.

Mr. Martel: You can't suck and blow at the same time.

The Acting Speaker: Order.

Mr. Martel: How much did Falconbridge give you?

Mr. Boudria: Mr. Speaker, I know the member for Sudbury East would like another debate on Sudbury—

Mr. Philip: On a point of order, Mr. Speaker: I think we would have a much better debate if all members who were not members of the Ombudsman committee left and allowed us to get on with our report.

The Acting Speaker: That is not a point of order.

Mr. Boudria: Mr. Speaker, I would like to keep my comments brief in the hope that we can proceed with the voting on this report tonight. But I want to take a few minutes to indicate that I find it unfortunate that it takes such a long time before the reports of the select committee on the Ombudsman finally come to this Legislature for debate. As a matter of fact—

Mr. Martel: Tell us about Bill 179 and your three positions, Jim.

Mr. Gordon: You're grasping at straws, Elie. You're pathetic.

The Acting Speaker: Order. The members from Sudbury would really do us all a favour if they would hold this kind of discussion outside the House. We are now discussing the Ombudsman's report.

Mr. Boudria: I forget exactly where I was, but I am quite sure I was not discussing Sudbury. I think I was on the report on the Ombudsman.

Mr. Martel: He took three positions on Bill 179.

Mr. Boudria: That could very well be. Someone could have taken 19 positions on Bill 179; and if the committee were sitting at this time, they could explain that. But I hope we can talk about the Ombudsman's report for the next three or four minutes.

As I was saying, I find it unfortunate that it takes such a long time for the reports of our committee to come to the floor of this Legislature. Some of the problems we have had in the past months, particularly relating to what will shortly be the 10th report of the select commit-

tee on the Ombudsman, and perhaps even some of the contents of that report, would not even exist if the ninth report had been adopted sooner. I hope the adoption of this ninth report will clarify the authority and the mandate of the select committee on the Ombudsman.

Interjections.

Mr. Boudria: It is unusual for us to listen to the interjections of the member for Sudbury. We listened to his very worthwhile contribution to this debate, but he does not seem to be willing to listen to others.

If I can get one or two minutes of the member's attention, I want to add that I am also concerned that the Legislature last year had not adopted some of the recommendations of the select committee. I think that undermines the office of the Ombudsman somewhat. It is unfortunate the Ombudsman's authority is somewhat watered down when the Legislature tries to become an ombudsman of the Ombudsman.

I want to remind the members of the government party that we think this should be avoided. As a matter of fact, the select committee does not feel it should take on a role of direct supervision over the decisions of the Office of the Ombudsman. Rather, we feel our role as a committee is to support the Office of the Ombudsman, to examine and offer constructive criticism to get the best kind of operation from the Office of the Ombudsman which is, as I understand it, a servant of the Legislature.

I am also concerned that ministries sometimes agree to implement a recommendation of the Ombudsman and then just forget about implementing it, hoping that others will forget about it as well. Of particular concern is the Ministry of Health and its failure to implement some of the recommendations pertaining to the Ontario health insurance plan.

10:30 p.m.

In conclusion, I would like to say, as the member who moved the resolution asking for the additional information from the Ombudsman that was later refused, that it was unfortunate those circumstances happened. I had hoped our committee would receive all the information we were looking for in order to assist us in better supporting the Office of the Ombudsman. Obviously, we did not ask for that information in an attempt to approve his budget but rather to include in our report as many improvements as we felt were necessary for future years.

The Acting Speaker: Are there any other members who wish to participate in the debate?

Hon. Mr. Wells: Mr. Speaker, I move the adjournment of the debate.

The Acting Speaker: The government House leader has moved the adjournment of the debate. Shall the motion carry?

Mr. Van Horne: On a point of order, Mr. Speaker: when I began my remarks I asked if the chairman of the committee had moved the adoption of the report and the recommendations contained therein. It was pointed out to me that, when he presented the report initially in the fall of 1981, that was the case. As I understand it, if there is no more debate on this, why should there not—

The Acting Speaker: There might be, and I think that is what has happened. It could be placed on the Order Paper again. By the motion we now have, it would remain on the Order Paper.

Mr. Van Horne: Forever?

The Acting Speaker: No, not forever.

Mr. Van Horne: I am sorry, but I am from Missouri. I have a feeling this is going to sit forever without the recommendations being adopted by the House. I ask the government House leader whether the intention is that it be debated again in another week, for any of the other members who were not able to participate tonight, or that it be put on the shelf forever.

Hon. Mr. Wells: The intention is that it be adjourned tonight and that it be considered again for debate. If I recall correctly, the House leaders talked in terms of continuing the debate on this two weeks from tonight.

The Acting Speaker: The point of order has been clarified. Is it moved that the debate be adjourned?

Mr. Philip: Just for clarification, what the government House leader is saying is that the chairman will move for the adoption of the recommendations two weeks from tonight.

Hon. Mr. Wells: My friends must realize that it has already been moved for adoption. We are now debating the motion for adoption of the report. It may be that, when we approach this as a matter for debate two weeks from today, we may move into committee of the whole and deal with the recommendations clause by clause. That is still a possibility that is under consideration. We are really debating the motion. On the Order Paper it is the motion for adoption of the report.

On motion by Hon. Mr. Wells, the debate was adjourned.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Before the House adjourns, I would like to indicate the business for the rest of this week and next.

Tomorrow we will consider estimates of the Management Board of Cabinet in committee of supply. On Monday, November 8, we will conclude the estimates of the Management Board in committee of supply and begin the estimates of the Ministry of Intergovernmental Affairs. On Tuesday, November 9, in the afternoon and evening, we will be dealing with legislation in committee of the whole House on Bill 127.

On Wednesday, because it has been reported to us that the committees have all decided not to meet, there will be no committee meetings. The House will be adjourned for Remembrance Day, November 11, and will not sit on November 12. Therefore, it will resume sitting on Monday, November 15. At that time, there will be estimates of the Ministry of Intergovernmental Affairs. I should also remind members that on November 15 we will begin sitting on Monday evenings.

The House adjourned at 10:34 p.m.

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Second Session, Thirty-Second Parliament
Friday, November 5, 1982

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Friday, November 5, 1982

The House met at 10 a.m.

Prayers.

VISITORS

Mr. Speaker: I ask all honourable members to join with me in welcoming a group of distinguished parliamentary visitors in the Speaker's gallery this morning. We have with us the Honourable James Walding, Speaker of the Legislative Assembly of Manitoba; the Honourable Bando Panday, Leader of the Opposition and member of Parliament, from Trinidad; Mr. Peter Fry, member of Parliament, from the United Kingdom; Mr. Douglas Hoyle, member of Parliament, from the United Kingdom; and Mr. Shamshuddin Mohammed, member of Parliament, from Trinidad.

STATEMENTS BY THE MINISTRY

COMPENSATION FOR UFFI HOME OWNERS

Hon. Mr. Ashe: Mr. Speaker, on numerous occasions over the past year I have indicated to the honourable members that I have been reviewing the property assessments of residences insulated with urea formaldehyde foam insulation, commonly referred to as UFFI, with a view to developing a policy for the 1982 assessment of those properties affected.

The members are well aware of the current controversy surrounding the use of UFFI in residential properties and the suggested inadequacy of the federal grant program, recently proclaimed into law, by the way, to compensate home owners for the removal of this insulation material. However, while this controversy continues, the damage has been done and the market value of the homes insulated with UFFI clearly has been eroded, albeit temporarily.

Last year I instructed Ministry of Revenue assessors to help ratepayers whose properties were insulated with UFFI to lodge an appeal with the assessment review court. At that time this was the best course of action. First, there were insufficient data to formulate a consistent province-wide policy; second, we did not know which properties were insulated with the material. The assessment review court was at a similar disadvantage in finding a resolution to this problem. Of the 4,122 appeals dealt with by the court, reductions ranged from 45 per cent to 75 per cent. A significant number of ratepayers who appealed were awarded a 75 per cent reduction.

I instructed my assessment staff not to challenge these decisions even though the range was considerable. Quite simply we did not have sufficient data at that time to dispute the findings of the assessment review court. However, we have now had the opportunity to review sales data and cost estimates to remove the UFFI from affected buildings. Consequently the policy I will outline now is based on actual sales across Ontario, which occurred with purchasers fully aware that they were acquiring properties insulated with this material. I might add that there are still only a limited number of such sales.

Our study indicates that the presence of UFFI diminishes the value of a residence having the material by 35 per cent on average. Therefore, there will be a 35 per cent allowance on the 1982 assessments of residential dwelling units where the presence of UFFI is established. This policy will apply to both the properties that have come to our attention through the appeal process and those properties that will come to our attention subsequently. When home owners do not have any official documentation or proof of the presence of UFFI, we will accept an affidavit from them.

To advise affected ratepayers of this policy, my ministry will be undertaking a number of measures, including a special message in this year's advertising campaign connected with the 1982 assessment roll return. As well, open houses will be offered again this year where assessors will be available to answer ratepayers' questions about their assessments and this particular policy.

My ministry is aware that this 35 per cent guideline will mean that those property owners who previously have been granted a greater reduction by the assessment review court will, in effect, experience an assessment increase. Therefore, ever mindful of the need for continuing flexibility, the assessors will be reminding

ratepayers, as they did last year, I might add, of their right and means of appeal. Such appeals, of course, will be dealt with by the assessment review court on their own merits.

I am convinced that this policy is a fair reflection of market conditions today respecting UFFI properties. However, my ministry will continue to monitor sales of properties containing UFFI to ensure that the 35 per cent reduction remains a fair and realistic allowance.

10:10 a.m.

CHRYSLER DISPUTE

Hon. Mr. Ramsay: Mr. Speaker, I should like to make a statement concerning remarks that have been attributed to me about the labour dispute at Chrysler Canada.

I do not intend to split hairs about whether incorrect inferences were drawn from the precise words that I used. My purpose in rising this morning is to set the record straight and to remove any confusion or uncertainty about my position and the position of the government.

First, while the government naturally regrets that the dispute has not been settled, it remains convinced that collective bargaining will lead to a satisfactory resolution. Certainly both parties, Chrysler and the United Auto Workers, are extremely skilled in the bargaining process.

Second, there are no plans to interfere in the bargaining process at Chrysler except to provide mediation assistance if such assistance would be useful to the parties in concluding a voluntary settlement.

Any question of what might happen should the dispute be prolonged is entirely hypothetical. I repeat categorically that it would be wrong for anyone to believe that the government has given any consideration whatever to doing more than offering its services to assist the parties in concluding a settlement on a voluntary basis. It is unfortunate that remarks I made yesterday to the media may have indicated otherwise.

HAZARDOUS CONTAMINANTS PROGRAM

Hon. Mr. Norton: Mr. Speaker, in June of this year I announced to the Legislature the reorganization of the Ministry of the Environment to meet the challenges of the 1980s. One of the most important and complex tasks among those challenges is to expand our understanding of chemical hazards, and this requires a considerable effort to determine the scientific base and to develop appropriate programs.

Today I am pleased to advise the honourable members of a significant step my ministry has taken to get those activities under way. The ministry's hazardous contaminants office has been integrated with the ministry's newly formed hazardous contaminants and standards branch. As a first step in its new mandate, it has developed a chemical assessment process. This process lays the foundation for the management and control of toxic substances and is addressed in a report entitled Hazardous Contaminants Program: Chemical Identification, which I am releasing later today. The report will be available to any industries and members of the public who would like copies.

The Ministry of the Environment is committed to the development of a comprehensive strategy to control any toxic substances that are found to pose a threat to human health or the environment. There are more than 60,000 chemicals in commercial use in North America today, and each year the number of new chemicals on the market increases. Some of those substances have gained a sinister reputation because of their effects on human health or the environment. I intend to ensure that the hazardous materials that exist in Ontario are dealt with in a scientific and efficient manner and that we develop and maintain an improved capacity to reduce any risks they might present to our society.

The chemical assessment process we have implemented is an initial and essential building block in developing longer-range programs. It encompasses three broad areas of activity: chemical identification, chemical assessment and chemical standards.

The ministry has stepped up its efforts to identify those chemicals in commercial use that may be of concern to human health or the environment. We are continuing to expand our monitoring and classification of potentially hazardous chemicals. In this activity we are drawing on our own scientific endeavours and the research conducted by governments and universities across Canada and, indeed, around the world.

To date, we have identified 209 priority substances or classes of substances that may be of particular concern to environmental and human health protection. These will be subject to extensive evaluation and discussion with other governments to maintain a common understanding on a regularly updated inventory. The inventory will assist future activities in focusing

research into the toxicological effects of hazardous contaminants and in formulating policies and programs to deal with them.

Chemical assessment is a complex undertaking which, to be successful, requires co-operative efforts and liaison with other scientific and government organizations. To determine the particular risks of hazardous chemicals, my ministry is making an assessment of exposure of our population to those chemicals and their implications for the environment and human health.

We are currently assessing carcinogenicity, mutagenicity, teratogenicity, acute toxicity and environmental persistence of these high-priority hazardous chemicals by a wide-ranging program of research and review. This will provide a state-of-the-art assessment of the human health and environmental effects of chemicals to be conducted through our ministry's monitoring programs and through an industrial inventory of uses of chemicals gathered from the private sector.

We are working on this with the Canadian Chemical Producers' Association to develop a much-needed industrial chemical survey. This is our first major step in obtaining voluntary data on the use, manufacture, import, export and emissions and discharges of chemicals in the Ontario economy.

The appropriate sections of my ministry are working together to develop standards and guidelines for those chemicals that present risks to human health or threaten the stability of the environment. The hazardous contaminants and standards branch is now formulating policies to govern the setting of standards where these are necessary. I assure you, Mr. Speaker, it is my intention that these policies provide explicitly for effective public involvement.

Hazardous chemical contaminants are the emerging major environmental challenge for the 1980s. Their proliferation has caused legitimate public concern, and I am determined that we will allocate the necessary resources and scientific endeavour to provide adequate understanding and effective measures of public protection where these are found to be necessary.

Mr. Speaker: I ask the co-operation of all honourable members in limiting their private conversations in the chamber.

Mr. Nixon: Could we have more interesting statements?

Hon. Mr. Norton: I thought that was a fascinating one,

ORAL QUESTIONS

CHRYSLER DISPUTE

Mr. Peterson: Mr. Speaker, I have a question for the Premier. Could the Premier bring this House up to date on his involvement in the Chrysler dispute? Has he used his good offices to call the various parties together to try to effect a settlement? What has he done? If he has done nothing, what is he prepared to do?

Hon. Mr. Davis: Mr. Speaker, I am aware that the Leader of the Opposition was in touch with the head of the United Auto Workers yesterday. I have been in touch, personally, with representatives of both parties.

As the Minister of Labour (Mr. Ramsay) has said, the traditional services of his ministry are available to both sides in this dispute. It is a very delicate matter, and at this time it is my intention to leave it at that.

Mr. Peterson: I agree with the Premier that it is a delicate matter and that the power of his office has to be used sparingly in such matters. However, will he not agree with me, given the potential impact of this strike on 10,000 people, the ripple effect on parts suppliers and other industries in Windsor and elsewhere in this province and the potential for harmful layoffs in the United States, and given "the fragility of the company," as the Premier's own minister says, that it is worth a chance for the Premier, using the power of the Premiership, to call Mr. Closs or Mr. Iacocca and Mr. White together and do everything he can to effect a settlement? Is that not a reasonable use of the power he has in this province?

Hon. Mr. Davis: I think one should be realistic. While the Premier's office has some—power that is the wrong word; there is nothing in the statutes of this province that—well—with great respect, you do not get into "moral power;" you get into providing an opportunity for discussion and resolution.

I am very aware and fully informed as to the sensitivity of this matter and its potential impact. I am sure Mr. White and Mr. Closs are aware of it also. We are all aware of it. Certainly the offices of the ministry are available, but at this precise moment, at 10:20 on this Friday morning, it is my judgement that I shall not be involved other than keeping in touch with both parties.

10:20 a.m.

Mr. Cooke: Mr. Speaker, based on the state-

ments made by the Minister of Labour yesterday—I was outside in the scrum listening to every word he said, and I must say they were the most irresponsible, stupid statements on an important labour dispute I have ever heard from a minister of the crown—

Mr. Speaker: Supplementary, please.

Mr. Cooke: Based on those ridiculous statements by the Minister of Labour, does the Premier not agree that he should ask the minister for his resignation today?

Mr. T. P. Reid: That's extremely helpful, do you know that?

Mr. Cooke: Oh, sit down.

Mr. T. P. Reid: Couldn't you do better than that?

Mr. Speaker: Order.

Hon. Mr. Davis: Mr. Speaker, if one were to make assessments based on competence or on things people have said at particular instances in time, the honourable member would have resigned two or three years ago.

Mr. Cooke: Why did your press secretary go around trying to cover up for your minister?

Mr. Speaker: Order.

Mr. Peterson: I want to remind the Premier that as taxpayers in Ontario we have a direct pecuniary interest in this particular matter, as do the federal taxpayers in this country. Even from that point of view, does the Premier not consider it gives him a more than a passing interest in this case? Does he not think it would be helpful in this debate perhaps to use the information service he and the minister have to ensure that everybody in this province understands the ripple effect, the potential economic harm that would come from a prolonged strike? When people on all sides understand these things, one would hope it would effect a settlement sooner rather than later.

Hon. Mr. Davis: I regret that the Leader of the Opposition feels that because we have a modest, potential financial interest in the new diesel operation in Windsor, that would increase our interest in having this particular negotiation brought to a conclusion. I want to assure the Leader of the Opposition that, unlike him perhaps, we are so concerned that it would not matter whether we had a financial interest. It goes far beyond what will be a relatively modest investment in terms of the diesel operation. There is far more at stake than that particular interest and there are far more people affected.

With the greatest of respect, that does not enhance the government's interest; it is there in the first instance. From the observations of the Leader of the Opposition, I can assume only that he probably would recommend in a rather peremptory fashion a legislative settlement.

Mr. McClellan: Just like the Minister of Labour.

Interjections.

Mr. Peterson: The Premier should assume nothing. He is the one who has the apologizing and explaining to do in that regard, not me. He should not start putting his mistakes over on me.

Mr. Speaker: Order.

Mr. Peterson: It is time the Premier got out of the gutter and—

Mr. Speaker: Order. I ask the co-operation of all members of the New Democratic Party. Their chance is coming very shortly and they will have an opportunity to ask questions.

UNEMPLOYMENT

Mr. Peterson: Mr. Speaker, I want to ask the Premier about the unemployment figures that I am sure he is aware of today. Just to refresh his memory, because he probably heard about them more than an hour ago, I want to bring him up to date.

From last month to this month, unemployment has gone up, seasonally adjusted, from 504,000 to 532,000, or some 28,000. The percentage change from last month alone is 5.5 per cent. From the same month a year ago there has been a 65.7 per cent increase. Since the last budget of May 13, unemployment is up by some 175,000 in this province. Indeed, the rate is up half a percentage point from last month, from 11.1 per cent to 11.7 per cent, relative to an unemployment rate a year ago of some 7.1 per cent. In fact, we have lost another 21,000 jobs this month; 21,000 fewer people are working this month than last month.

When is the Premier going to bring in a job creation strategy?

Hon. Mr. Davis: Mr. Speaker, I am delighted the Leader of the Opposition wishes to refresh my memory about facts I learned an hour ago. Unlike the Leader of the Opposition, I try to remember what facts I learn, and I do not have to read all the relevant information some researcher has produced. I understand he has to read all this material. I am quite aware the unemployment rate is up.

I am delighted to know the external limbs of the member for St. Catharines (Mr. Bradley) are functioning this morning and he can applaud. It

is probably his most productive contribution here this morning.

Hon Mr. Ashe: It's usually his mouth he's exercising.

Hon. Mr. Davis: I will leave that for others to say.

I say to the Leader of the Opposition, we are quite aware of the figures and we are very concerned about them. The Treasurer (Mr. F. S. Miller) has said on several occasions in the past five or six days that we have had some initial discussions with the government of Canada. We have made it quite clear that we are prepared to enter into the joint programs which it has said in general terms it is prepared to introduce. We are still waiting for some definitive outline as to the areas in which it wishes the province to join with it in job creation. We are ready to do so. We have some ideas of our own which we have transmitted to the government of Canada.

It would be my hope that Mr. Axworthy and others responsible will, I hope within the next few days, outline to all the provinces the exact areas where federal funds will be flowing, and where we can join with them to provide some job creation.

Mr. Peterson: The Premier is of course aware unemployment has been going up now for 14 straight months, a record I do not think is paralleled anywhere else in our history. We have lost jobs in every single month since the budget. It is obvious the last budget of May 13 did nothing to create jobs.

Given figures that are so devastating and given a deterioration that is so severe, does he not think that there is a tremendous problem of urgency and that he must move immediately? He tells us he has plans, but we do not know what they are. Does he not think the figures are severe enough to warrant a major reassessment of our economic position which could even involve a new budget here in the province that would address these problems?

Hon. Mr. Davis: The Leader of the Opposition used to be somewhat knowledgeable in the financial area. I will not recite for him many of the things he said as finance critic over the years such as his urging on some days to restrain and on other days, if he had a pet project, to extend expenditures. I will not remind him of his attacks on the budgetary deficits. I will not remind him of his contradictory positions on so many financial issues over the past number of years, except to point out that, yes, we are aware of the figures. We feel there is, without question, a sense of urgency. This was conveyed to Mr. Axworthy.

We believe some of these programs should be implemented, because I think they do relate to the very real question of the unemployment insurance benefits being phased out and bringing those people back on stream. I think we should also be fairly realistic. The United States figures came out today or yesterday; they are up a comparable percentage.

We talked about the auto sector, for instance, a few moments ago. No new budget is required in terms of that segment, which is 24 per cent of the economy of this province, because all one has to do is look at the sales figures for October or September, whichever it was, which were down some 27 per cent.

If the Leader of the Opposition were to suggest a reduction in sales tax, which he has always attacked, that would not affect the American marketplace in any event. That is part of the problem, and this applies and filters through to the steel industry and many others.

I reiterate that this government has made it quite clear to the government of Canada that it is ready. We are concerned as to the amount of money that will be allocated out of the funds Mr. Lalonde mentioned in his nonbudget as to Ontario getting a fair share of that, but to date we have not had from them specific proposals as to where they are going to allocate their funding.

10:30 a.m.

I think if the Treasurer (Mr. F. S. Miller) was here he would say it would be rather futile, assuming it would be coming forth in the next few days, for us to venture out in two or three areas, it would be contradictory and would not be in concert with some of the directions the government of Canada wishes to pursue. We think it makes sense to await their proposals, which we are prepared to move on immediately if they make sense.

Mr. Mackenzie: Mr. Speaker, I am sure the Premier is aware of the rather tragic figures, and should have some first-hand experience of them, in terms of unemployment in Hamilton, in the peninsula, and certainly in Sudbury. The figures in cities like London and Kitchener have been going up at a rapid rate as well. In addition, we now have Toronto approaching double-digit figures for the first time, the same as some of these other areas. What is the Premier doing in terms of a regional approach to this problem and what will he do in terms of a city the size of

Toronto now that we are reaching the unemployed rate we are in this city?

Hon. Mr. Davis: Mr. Speaker, I cannot guess what proposals Mr. Axworthy or others may have—

Mr. Laughren: What about having some of your own?

Mr. Cooke: Let us see some leadership for a change.

Hon. Mr. Davis: Listen, do you want to play a little politics or do you want to get into a debate? I am quite prepared to do either.

I am quite aware that there are certain regions of this province where the figures are higher than others. I cannot tell the honourable member whether the government of Canada intends to approach this issue on the basis of regions within a province. I have a feeling they intend to approach it nationally on the basis of regions and perhaps related to the unemployment figures within the regions, which I would interpret as being provinces.

We made it abundantly clear to the government of Canada that even though the Ontario figures are lower or better than some of our sister provinces, we feel that situations like Sudbury, Hamilton, etc., would qualify us or entitle us to our full share of whatever that total amount is, even though our total figures in the province happen to be lower than in other provinces of this country.

Whether or not they will say to us, taking the Unemployment Insurance Commission or perhaps the sections under the act that might be used, that these will apply on a regional basis, I cannot answer. I can only say that if that is their approach, from our standpoint we would be more than prepared to co-operate.

I am fully aware that the unemployment picture in the province is not uniform. Certain communities are affected more than others.

Mr. Peterson: Is the Premier not concerned that as he and his minister come daily to this House playing a game of "After you, Alphonse" with the federal government, deciding who is going to move first or who is going to be a little more specific, we are losing time and we are facing the worst winter since 1933?

It appears now that we will not be able to get any programs going until January, or maybe even February. The crisis is here now; surely there are some things the Premier can do here now. For example, a program of winter works with the municipalities would create employment. If the federal government dovetails with that, fine. There are things that could be done now. We are losing time.

The Premier's excuse about waiting for Mr. Lalonde or Mr. Trudeau is not adequate for us, given the extremity of our circumstances. Why can he not accelerate the timing on all of these programs?

Hon. Mr. Davis: I can assure the honourable member that we have been working very diligently in terms of possible alternatives. We are, to a certain extent, guessing what the federal government may suggest. We will be ready to move almost immediately if they go in those general directions.

I should point out that in the Sudbury area, for instance, the Minister of Natural Resources (Mr. Pope) has telexed to the government of Canada some 15 or 20 possible proposals. I should point out the member that, while some members of the New Democratic Party do not accept this, through existing programs the Ministry of Natural Resources has been able to create somewhere around 1,000 or 1,200 short-term jobs.

I know how many are unemployed and I know, being realistic, how many the programs we may introduce can in fact accommodate. I know how many the municipalities can assist.

I would say to the Leader of the Opposition, it is not "After you, Alphonse." I do not refer to the Prime Minister of Canada as Alphonse.

We are saying that we believe this should be done nationally so that we are not diffusing our efforts but are trying to concentrate on the main areas. We are endeavouring to do that in saying this to the government of Canada.

I do not call him Alphonse; you may.

An hon. member: He calls him "albatross," too.

Hon. Mr. Davis: Albatross. Is that what you call him?

WORKMEN'S COMPENSATION

Mr. Martel: Mr. Speaker, I have a question for the Minister of Labour. Can the Minister of Labour indicate why the Workmen's Compensation Board cut off the benefits paid to one Luis Guerrero, a very severely injured worker, when he filed suit against Midland-Ross of New Jersey, despite the fact that the lawyer for Mr. Guerrero, a Mr. Richard Sommers, sent correspondence to the board offering to include the board's costs in the lawsuit?

Hon. Mr. Ramsay: Mr. Speaker, that matter was just drawn to my attention a day or two ago,

and I am attempting to obtain more information with respect to it.

Mr. Martel: The minister will also be aware that Bendix has launched an appeal against the decision by the Workmen's Compensation Board that granted Lucie Dunn a widow's pension—Mr. Dunn died of mesothelioma—and a date has not been established yet.

In view of the fact that Lucie Dunn and her children are now threatened by Bendix's appeal, and in view of the fact that Mrs. Dunn has until early January to file suit in the United States in order to protect her income for herself and her two children, is the minister prepared to guarantee that if she launches the suit in the next couple of weeks, the Workmen's Compensation Board will not cut off her pension?

Hon. Mr. Ramsay: I cannot speak for the Workmen's Compensation Board in that respect, but I will be happy to take the matter up with them accordingly.

Mr. Martel: I hope the minister will bring back an answer to that question.

Dealing with Bendix, since there are now 24 cases of cancer arising out of the Bendix plant, and since the ministry's own submission to—

Interjections.

Mr. Speaker: Order, please. It is very difficult to concentrate on the questions or the answers with a dialogue going back and forth between other members. I would ask both participants please to cease and desist.

Mr. Martel: Mr. Speaker, you might have told them they had their turn, because you reminded us earlier that we should remain quiet because we would get our turn.

Mr. Speaker: They have already had their turn.

Mr. Martel: That is right, and that is why they should be quiet.

Mr. Speaker: Now to the supplementary.

Mr. Martel: Let me go back, then. There are now 24 cases of cancer arising out of the Bendix plant; and the minister's own representations to the royal commission on asbestos indicate that some 2,000 workers have been exposed for more than 12 months. Also, his own study, the Finkelstein study, proposes to deal only with those cases where death has resulted—and they state this in their letter to the United Auto Workers in the following words: "Since there is at the moment no useful medical intervention that can be made to influence the health of exposed individuals, the only reason to do a morbidity study would be to discover cases of disease for compensation purposes." And Finkelstein is right: this is precisely what the UAW wants.

In view of these facts, is the minister prepared to ensure that those 2,000 workers will be contacted to determine if they have an illness and to explain to them their rights under the Workmen's Compensation Act to compensation for illnesses arising out of the work place at Bendix rather than accept what Finkelstein is prepared to do, which is just look at those who are dead?

Hon. Mr. Ramsay: Mr. Speaker, there is no hesitancy on the part of the Workmen's Compensation Board or on the part of the Ministry of Labour as to the seriousness of this situation, and every effort is being made to make the appropriate arrangements and to facilitate the present investigation.

10:40 a.m.

UNEMPLOYMENT

Mr. Mackenzie: Mr. Speaker, I would like to go back to ask the Premier about the unemployment situation in Ontario. I am wondering if he recognizes that it is not just the increase to 532,000 but that we now stand at 695,000 people actually out of work in Ontario?

Does the Premier realize that last month we lost 903 jobs every single day or more than 40 jobs an hour in Ontario? Does he recognize that this means we had more people who lost jobs last month than will be created in the entire Lalonde initiative in Ontario for the year?

Does this not indicate to the Premier that the federal Liberal response to unemployment is totally inadequate and that he cannot continue to use that as part of his answer and that what we need now are some specific provincial job creation schemes?

Hon. Mr. Davis: Mr. Speaker, I assure the member that I am as aware of the figures as he is. I do not think the Treasurer has said that the federal government's response is adequate. What he has said is we need to know exactly, those areas where they are going to provide funding so we can make our determinations.

I assure the member that we are aware of the figures and are as concerned as he is. It is our intention to have certain initiatives, but we are—and I hope it will only be a matter of a very few days—awaiting definitive proposals from the government of Canada.

Mr. Mackenzie: Supplementary: Given the situation of these people we cannot afford any further delays; there can be no justification for further delays. I am wondering if one of the Premier's responses might be to get rid of the fraud and hoax of Bill 179, which is simply going to remove another $800 million of purchasing power in Ontario, and give us some specific job creations rather than that particular hoax?

Hon. Mr. Davis: I understand part of the mythology of the member's party is that in fact that will take out X number of dollars from the economy. Can I perhaps give him one small example just to prove how totally wrong that is?

I will try to explain it to him in terms of the municipality of Brampton. I would suggest to him with respect that by limiting the salary increases in the next year—and it will be staged in because our agreements in Brampton may be at different calendar dates than those of other communities—in fact, with our transfer payments, there is no question—take the Peel Board of Education—that they will have a lower requirement for increases in mill rate to the taxpayers of Brampton.

I say with the greatest of respect—

Mr. R. F. Johnston: The welfare pass through will look after all of that.

Hon. Mr. Davis: Just let me finish. I say to the member that while some of the teachers, for instance those at the secondary school level who are at an average of $35,000 to $36,000—

Mr. Mackenzie: Let's talk about hospital workers.

Hon. Mr. Davis: Let me finish. I am talking about the educational mill rate. Where in fact they might have had 10 or 11 per cent, under this bill, with merit, they will probably have six or seven. In the tax bracket that the member and I know they would be in, the differential in terms of their disposable income will not inhibit them from carrying on whatever traditional consuming patterns they may have had.

But every single real property taxpayer in the city of Brampton will, because of this policy, have some modest amount more in terms of disposable income because of this policy. What the member is saying and what his leader and soon-to-be-seated member for York South is saying, is just totally incorrect.

Mr. Wrye: Mr. Speaker, I would say to the Premier that we have sat here now for some two months and unemployment figures get worse daily. And we only see them once a month, but today's figures are even more staggering. Does this province have an economic game plan for more than the half million unemployed people in this province? If they do have an economic game plan, when are we going to see it?

Given that the federal government managed to present an economic statement just three months after its last budget and it is now five or six months since a provincial budget, which was completely wrong in most of its analyses, when are we going to see an economic statement or a mini-budget?

Hon. Mr. Davis: Mr. Speaker, I am getting a little confused by the honourable member as to which federal budgets or nonbudgets he is referring to. Mr. Lalonde does not call his economic statement a budget. I assume the member agrees it was not a budget.

I think the Treasurer (Mr. F. S. Miller) has made it abundantly clear, and I thought the member would have been listening, that we are prepared to take certain initiatives that do not require any budgetary process. When I say that, it is obvious the expenditures will have to be approved but it does not require a new budget.

I would say to the member that the Treasurer is prepared, but I know the member does not agree with his approach which is that it should, to the extent it can, be consistent with initatives taken by the government of Canada.

We are talking about substantial sums of money. We do not want to see any conflict or contradiction in terms of the direction or the focus. The federal government has the largest amount of leverage in terms of moneys it has to expend. We want our share and we want to handle it intelligently. We know there is a sense of urgency. That has been communicated to the government of Canada. Some of those members who may be attending that great gathering over the weekend may convey in a personal way the sense of urgency we all feel.

Mr. Cooke: Mr. Speaker, if one takes a look at the youth unemployment rate, we are now up to 19 per cent or 192,000 young people unemployed in this province. Because these statistics are so alarming, is it not about time the Premier and the Treasurer, instead of putting the blame or the responsibility totally and completely on the federal government, have some proposals when the meetings take place with that government, proposals which should be announced here in Ontario in the Legislature? I refer to this government's job creation proposals because obviously Mr. Axworthy does not have those proposals put together.

Hon. Mr. Davis: Mr. Speaker, I can assure the honourable member that certain suggestions have been made. I was not at the meetings with Mr. Axworthy and Mr. Lalonde, but I am aware certain suggestions have been made to the government of Canada.

Mr. Martel: Can't you share that information with us?

Hon. Mr. Davis: Not at this point.

GROUP HOMES FOR MENTAL PATIENTS

Mr. Ruprecht: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing (Mr. Bennett) about group home policy. Six months ago, I asked the minister whether he thought it was fair and right that every municipality in Metro Toronto should take its fair share of group homes. He replied, "Yes," and that he was in touch with the other municipalities to work out some kind of program and was not yet frustrated enough to produce legislation.

My question is, when will he be frustrated enough to produce legislation that will force every municipality to open its doors to group homes?

Hon. Mr. Bennett: Mr. Speaker, I doubt very much I used the word "frustrated." That is perhaps the position the member for Parkdale is in. I do not recall that remark being in Hansard and I think the member was referring to the answer to a question in the House.

Mr. Ruprecht: It's right here.

Hon. Mr. Bennett: I have been in touch with the chairman of Metropolitan Toronto. There have been long, drawn out discussions between the chairman and the mayors of the various boroughs in relation to their councils' views on the group homes question.

This government has made it clear we believe group homes should be in an accepted position in each community. I suppose I could take the iron-fisted approach for which I would be criticized by the opposition on any other question or on most questions.

In this case, we are trying to find some understanding and a receptive position by the municipalities. There is no sense in this government trying to impose something on municipalities that we find the general public is not prepared to accept, and about which we get into an open fight. I trust that after Monday we might be able to get back to some serious discussions with those at the municipal level.

Mr. Ruprecht: I would like to clear up this question of the word "frustrated." I read in the record that the minister said, on June 10, 1982, "We are frustrated and cannot go any further in negotiating a reasonable settlement of the situation." That is what he said.

I would like to find out whether the minister realizes his colleague the Minister of Community and Social Services (Mr. Drea) made a statement on October 28 saying he will close six care facilities in Ontario forcing even more socially, developmentally handicapped people into group homes.

Hon. Mr. Drea: Where were you that day?

Mr. Ruprecht: I was right here. I want to know whether this minister is co-ordinating affairs with that minister instead of creating a crisis that is really of the utmost proportions. This minister with his shades on knows full well that he is partly to blame.

We have enough problems in these areas of the city. What we want to know from the Minister of Municipal Affairs and Housing is when will he no longer say he is in a receptive position and will force it on them? The minister knows full well they are not going to give in that easily.

10:50 a.m.

Hon. Mr. Bennett: I am not at the point of saying that we are in a crisis. Maybe the member himself is in a crisis, I am not sure.

I will continue to have discussions with the Metro chairman, with some of his senior staff and with those people in the boroughs who are facing the problems, to try to find a way to resolve the matter so that it is acceptable to each community. I would suggest to the member for Parkdale that, in the fullness of time, I shall report.

Mr. McClellan: Mr. Speaker, I should say I do not think he was hiding behind a tree, he was hiding behind the member for High Park-Swansea (Mr. Shymko).

Mr. Speaker: And now for the supplementary.

Mr. McClellan: My supplementary question is: Does the minister not agree with us and with a number of his own colleagues? I do not want to put words in the mouth of the Minister of Community and Social Services but I know that his predecessor has expressed concerns about municipalities excluding group homes. The Provincial Secretary for Social Development (Mrs. Birch) has expressed serious concerns about municipalities excluding group homes.

Since it is a matter of human rights, does the

minister not think that his colleagues and the committee should have accepted my amendment to change the Planning Act to deny municipalities the right to arbitrarily and absolutely exclude group homes? Does the minister not think the Planning Act should be taken back to committee of the whole House, and that he should come forward with his own draftsmanship and amendments that would eliminate the right of municipalities to violate human rights in this way, in order to provide for the orderly, planned, rational, sensible inclusion of group homes in each and every municipality across this province?

Hon. Mr. Bennett: Mr. Speaker, it is rather interesting to stand and listen to that kind of remark this morning. That is the very party that on more than one occasion has told this government that it should not take a hard-handed, dictatorial, sledge-hammer approach in trying to make municipalities come to our position in accepting certain things in this light.

Indeed, I think my job and that of my ministry is to try to find some position that is acceptable to municipalities. I want to suggest to this House that we—

Mr. R. F. Johnston: The minister knows this permissive approach is not working.

Mr. Speaker: Never mind the interjections please.

Hon. Mr. Bennett: Are you the seal over there?

Mr. R. F. Johnston: No. I am attacking you by saying your permissive approach is not working.

Hon. Mr. Bennett: The member has been on that kind of diet long enough, maybe.

Mr. R. F. Johnston: The minister cannot get out of human rights obligations like this. He is ducking his responsibility.

Mr. Speaker: Back to the question now, please.

An hon. member: Be serene.

Hon. Mr. Bennett: Be serene? I will.

I want to suggest to this House that better than 50 per cent of all the municipalities in this province have accepted the position taken by this government on group homes. We do have some differences of opinion being expressed in Metropolitan Toronto in relation to group homes. Let me say, the overall general theory of group homes has had fairly wide acceptance in Metro, save and except that they would like to have certain types of exclusions.

Mr. R. F. Johnston: Exclusions, yes.

Hon. Mr. Bennett: Would the member please just sit and listen?

Mr. R. F. Johnston: No, because the minister is saying the same garbage he has been saying for years.

Hon. Mr. Bennett: Yappy, just sit. He is like a little dog. Somebody should open the door and let him out. If he wants to bark somewhere else, let him bark.

I want to say very clearly that after Monday—

Mr. Swart: Open that door and let another one in.

Hon. Mr. Bennett: There is the St. Bernard now, barking up in the back row.

Mr. Mackenzie: You are really funny, Claude.

Mr. Martel: Does he get money for being a clown? Is he the court jester today? Why doesn't he run out and take a few flips on the floor.

Mr. Speaker: I do not think he has exclusive claim to that. Order.

Hon. Mr. Bennett: Mr. Speaker, I come back to the question at hand. I said very clearly to this House and I want to repeat: we will continue to negotiate with Metro and the members of the boroughs to try to find an acceptable policy. I see nothing to be gained in trying to force the issue and then having great public resistance that puts all the governments, whether municipal, borough, Metro or this government, at war with the community. If they are at war with the community then they will be at war with the particular group home. Let us try to find some way of resolving the problem so that there is general acceptance. It is great if one can bulldoze one's way in, but some will bulldoze one out too.

COMPENSATION FOR UFFI HOME OWNERS

Mr. Swart: Mr. Speaker, I have a question for the Minister of Revenue relative to his statement this morning. Surely he must realize the serious injustice he is doing to the urea formaldehyde foam insulation home owners by that statement. He must recall that last year, contrary to his own act which says he must assess homes at market or real value, he refused to reduce the assessment because he said he did not know how much it should be reduced. He said on many occasions it was the job of the assessment review courts to determine the correct amount.

Is it not true that all the assessment review courts, more than 35, with the exception of the first six who were in the preliminary stage, gave

reductions in assessment of 75 per cent? How can the minister more than double that assessment for this year, an assessment which was determined by those courts on extensive evidence and rulings made this year, on evidence which I am sure is far more comprehensive than he has?

I ask these two specific questions. Will the minister tell this House exactly how many sales in Ontario he checked? Second, what advice did he get from the public real estate appraisers in this province?

Hon. Mr. Ashe: Mr. Speaker, it sounded like hearing my statement all over again because most of the statistics and such that the honourable member brought forward were contained in my statement. Whether he was not listening or felt everybody else was not, I do not know.

What I said in the statement, and I will repeat it, is that we acknowledged last year or earlier this year that we did not have the statistics or the knowledge in many cases of the existence of UFFI in some of the homes. We did not have the experience of sales in the marketplace as to what the effect on value would be. We did not at that time have a great determination of the costs of remedying the problem.

Interjection.

Hon. Mr. Ashe: If the member would stay quiet for a minute he would hear the answer. He might learn something on occasion.

In actual fact, in the earlier deliberations of the assessment review courts, they also did not have the statistics available to them, and I alluded to that in my statement. During this past year we have been accumulating statistics based on arm's-length sales where the knowledge of UFFI was present. There were 48 sales within the province that are included. Again, I referred to the fact that there were relatively few and that we would continue to monitor same. The member should not make it sound like a big deal that I did not make specific reference to the fact that there were relatively few. There were 48. That is one criterion.

The second criterion is the actual cost of rectifying the problem. The 35 per cent, in the view of most experts, is more than generous. As I also indicated, we will still be monitoring for a further determination and buildup of data over the coming year. We will obviously be aware of extreme circumstances where the norm does not apply and other figures can apply.

Last but not least, the assessment review court appeal process will be there and available to any home owner, whether he had a reduction in 1982 or not, if he is not satisfied with that determination.

Mr. Swart: I cannot help but comment on his remark—

Mr. Speaker: No comments please; a supplementary.

Mr. Swart: —about 48 homes out of 15,000 or 20,000 in Ontario, and he considers that a fair survey. Does the minister not realize that all of these courts of revision took into consideration the costs of removal and came up with a figure of 75 per cent, not the minister's 35 per cent? Specifically, why is he putting the onus on the UFFI property home owners to come forward with evidence to him, when by law it is his ministry's duty to take the initiative to determine all the factors in connection with the value of the properties? He should be seeking them out.

11 a.m.

Is this not a deliberate attempt to reduce the number of property home owners who are going to get a reduction in tax? If not, how does he explain the fact that he proposed to use the number of those who appealed, which is 4,000, rather than the number of those who reported the UFFI problems to the Ministry of Health, which is 9,300, and which the minister has on his record?

Hon. Mr. Ashe: As usual, the honourable member twists the facts to suit his own purpose, illogical as it may be.

First of all, I did not indicate at all that the relatively few, 48, was a random survey. I said those were the specific numbers where there was knowledge of the presence of UFFI. As a matter of fact there were somewhat more than that, well over 100 sales, but we discounted, obviously, where there was an indication that there was no knowledge when the sale took place. That reduced the numbers; there is no doubt about it.

I would suggest to the member that if he had been following the assessment review court process at all, the ridiculous statement he just made would not have been made. They did not have any great amount of evidence of what the cost of rectifying the problem was at all. We now have evidence on which we are quite willing and prepared to go forward to the assessment review court with a figure that we can substantiate and that we feel is fair to both sides.

One particular aspect of this that the member

does not recognize is that we are talking about the assessment base of municipalities. We are talking about all of the ratepayers and taxpayers in municipalities, and that includes everybody else. When we take away an obligation from one, it must go on the head of the other. So fairness and equity applies to everybody, not just to make a political point, which the member is always trying to do.

Mr. Boudria: Mr. Speaker, I wonder if the minister would be so kind as to tell us why he did not see fit to lower the assessments retroactively and reimburse the taxes as of December 18, 1980, which is the date on which urea formaldehyde was banned in this country and, therefore, the date on which property values were lost? This was one of the things I had proposed in my private member's bill, Bill 102.

Hon. Mr. Ashe: Mr. Speaker, there is no recognition of retroactivity in the context that the honourable member puts forth. Similarly, the appeal process was available to everyone for that purpose as well as many others.

Believe it or not, although some of the members opposite would try to make it into a universal problem, not all home owners who have UFFI feel there is a problem. Others feel it is a relatively insignificant problem. Some of them, frankly, if the truth came out, do not want it known. Sure, we are going to find some property owners—

Mr. Boudria: That is nonsense.

Hon. Mr. Ashe: Oh, boloney. Why does the member not investigate his facts instead of coming out with his usual rhetoric, which has no basis of fact whatsoever? We are in the business and are dealing with these ratepayers on a regular basis. The system and the policy we are putting forth here are consistent right across the board. That process is available to everyone who wishes to take advantage of it.

FRENCH-LANGUAGE SCHOOLS

Mr. Boudria: Mr. Speaker, I have a question of the Premier on the issue of the establishment and governance of French schools in the province. The Minister of Education (Miss Stephenson) on October 5, 1979, stated the following: "The government of Ontario takes its commitment to French-language education as a fundamental matter of principle consistent with a desire to offer the best educational programs possible to every French-language student in Ontario. School boards will be encouraged, wherever numbers or circumstances warrant, to offer full programs in the French language within a self-contained school building."

In view of that statement, can the Premier tell the House what form of encouragement his government intends to take to ensure that the francophone students in Iroquois Falls and Mattawa are provided with a French-language entity as recommended by the committees there and also by the Languages of Instruction Commission of Ontario?

Hon. Mr. Davis: Mr. Speaker, I am only generally aware of some of the concerns in Mattawa and Iroquois Falls. I would be more than prepared to ask the minister to reply in a more definitive fashion.

As I recall some of the conversation, I think I am correct in saying there was less than unanimity within the francophone community in Mattawa—I may be wrong in this and ask the member not to hold me to it—which has been the case in some other areas. I think the history of it demonstrates that, given a little time, in nearly all situations of this nature we have ultimately come up with an acceptable solution. I expect that will be the case here.

Mr. Boudria: In more general terms, on the governance of French-language schools in the province, can the Premier indicate to the House whether he has yet received the legal advice which could establish the pilot projects for the governance of French-language schools that he quoted in a letter sent to M. Aubin of l'Association française des conseils scolaires de l'Ontario in September, I believe, after his refusal to implement the report on the governance of French-language schools?

Hon. Mr. Davis: I do not have the legal opinion with me. Once again I am going by recollection, which is that to establish a pilot project, as was being discussed, probably is not legal. I will get that for the member for Monday.

Mr. Cassidy: Mr. Speaker, having established the Languages of Instruction Commission and given it a mandate to make recommendations to the school board and to perform a fact-finding function where there is a dispute about the establishment of a French-language secondary school, could the Premier explain why it is that the government now, through the Premier, expresses publicly the view that it will substitute its judgement for that of the commission, and therefore effectively give no credence or power at all to that commission?

Is the Premier not aware that the commission has twice, I believe, gone to Iroquois Falls, has

made recommendations and has had those recommendations ignored? If the commission is not going to be backed up, what hope do Franco-Ontarians have of getting justice in schooling in the province?

Hon. Mr. Davis: Mr. Speaker, I think one has to look at this in a broader context. The commission has been in effect now for several years. I cannot give the exact date. If we look back over the history of the commission's involvement, the number of situations where it has been able to resolve issues where—over a period of time in some communities, I do not deny that—acceptable solutions were found, I think one can always single out a particular situation. Iroquois Falls may be one for a period. I do not know.

I can only say to the honourable member, I think he would find it regrettable, because some areas are more difficult than others, to say we are just going to scrap the commission. I think that would be a retrograde step.

METRO TORONTO BILL

Mr. Grande: Mr. Speaker, my question is for the Premier and it has to do with Bill 127.

In view of the fact that 95 per cent of the briefs submitted by the public on Bill 127 ask the government to withdraw the bill, in view of the fact that the Premier's cabinet is badly split on the issue, and in view of the fact that Barbara Jafelice, the Conservative candidate in York South, was quoted in the Globe and Mail this morning as saying, "The Conservative vote just did not show up; a lot of it was Bill 127," would the Premier give us some kind of indication that he will reassess the government's position on Bill 127?

Hon. Mr. Davis: Mr. Speaker, the government has always been willing to reassess, refine or improve any piece of legislation. While not directly involved, my recollection is that members of this House sat for hours, and listened to briefs; the people who appeared, I am told by a number that I know, were welcomed in a very polite fashion.

The Minister of Education (Miss Stephenson) has made certain alterations to that piece of legislation. I think she has shown a real measure of understanding and sensitivity. I think the legislation that has now been approved by the committee is far more acceptable in the member's conscience. I believe it is fair to state that I understand why many of the objections were there as part of the democratic process. If I were a member of the teaching profession in Metropolitan Toronto, I would not be enthusiastic.

11:10 a.m.

Let us not fool one another, the basic issue is a bargaining situation for all of Metro rather than within the individual boroughs and the city. The member can draw out some of the other potential side effects that have been grossly exaggerated. The member knows and I know that with the alterations the minister has made, I am sure over a period of time it will become totally acceptable.

Getting back to the part of the question about reassessing the bill, as to whether or not it will continue to proceed, I think it is fair to state that if the minister were here she would say she has every intention of moving the bill in its amended form through this Legislature, hopefully with the member's enthusiastic support.

Mr. Grande: The Premier must be aware that the Tory candidates running for trustee in Metropolitan Toronto are walking around the streets wearing "Stop Bill 127" buttons. Now that Barbara Jafelice feels she was a sacrifice for the Minister of Education's personal vendetta on education in Metropolitan Toronto, is the Premier going to allow that vendetta to destroy the political future of Tory trustee candidates in Metro?

Hon. Mr. Ashe: We don't have Tory trustee candidates.

Mr. R. F. Johnston: Don't you remember Claude Bennett's comments yesterday?

Hon. Mr. Davis: Unlike the New Democratic Party, the Conservative Party of this province does not run a slate of candidates. Those people may do it.

Mr. Cooke: That's not what Claude says.

Hon. Mr. Davis: No, the Minister of Municipal Affairs and Housing just acknowledged the great leadership of people who are associated with the particular party. The New Democrats run their slate of candidates. I do not know what Conservatives are running for the Metropolitan Toronto School Board. I am more familiar with some of the candidates in Brampton, but I do not know as many here.

This government does what in conscience it feels is correct; the New Democratic Party does not. They have operated that way ever since their party was renamed and it will never change. They do not have any real principle in terms of the directions they go. We all know that. It may be that some of our members are

not always totally enthusiastic, but unlike their leadership and their party, where it is all a matter of dogma and they have to make gestures to the leadership, in our party we have a measure of democracy.

I should also say, in terms of the member's comment about the cabinet, that I sit at the head of a group of people who are intelligent, sensitive and competent. When we make a decision, unlike the NDP caucus, there is total unanimity.

Mr. Grande: Mr. Speaker, on a point of order: To correct the record, the Premier may be right that there are no Tory candidates in Metropolitan Toronto, but certainly a lot of them are candidates—

Mr. Speaker: That is not a point of order.

Mr. Bradley: Mr. Speaker, in view of the fact that the Premier and his government are believers in the concept of local autonomy, and that there would be an increase in the powers of the Metro board at the expense of the local boards of education, and that the legislation would not provide for the kind of discretionary levy which would be helpful in meeting the very special needs present in certain boards—and the people there can determine when they elect their trustees whether they feel those needs are genuine—does the Premier not feel it would be advisable to withdraw the bill and start again to attempt to solve the problems he and his government perceive to be there?

Hon. Mr. Davis: Mr. Speaker, that is a less provocative question than I had anticipated from the honourable member. Perhaps it shows he has a growing understanding and awareness of the problems outside St. Catharines.

I would only say to the member that as I understand the bill and the amendments that have been made, there is still a substantial measure of discretion left. I forget the exact amount of money that a mill or a mill and a half raises on the tax base in the city of Toronto, but I think it is several million dollars. The member was at the committee hearings; I cannot give him the exact figure. I think that represents a fair measure of discretion.

I think it is fair to state that in a bill of this nature obviously one is not going to get total support. We have the views of the boroughs or the communities that are a part of Metropolitan Toronto. I do not think it is a question of "local autonomy." Metropolitan Toronto as a government is autonomous. It is a local government where there are certain responsibilities that encompass all the boroughs and now the city of North York, of course.

I think one can always second-guess the approach in the bill. Perhaps in two or three years' time, as one looks at the experience, some further alterations may be necessary as we see how the tax base develops, and I know the minister is prepared to look at this. I have heard the member's colleague on his left argue this issue on occasion, the question of one board within Metropolitan Toronto with respect to amounts of money to be paid. It does have an effect on negotiations in others; there is no question about that.

If the member quarrels with the general principle of bargaining, say, at the Metro level, I understand that. This government disagrees, in the interests of education and in the interests of the taxpayers, that this is the right route to go. If there are to be some alterations two or three years after some experience, we have never been reluctant to look at them.

INTRODUCTION OF BILL

MUNICIPAL ELECTIONS AMENDMENT ACT

Mr. Epp moved, seconded by Mr. Kerrio, first reading of Bill 186, An Act to amend the Municipal Elections Act.

Motion agreed to.

Mr. Epp: As you know, Mr. Speaker, the present act allows for anyone who is a British subject to vote in municipal elections, and this has caused a considerable amount of confusion in the province. Simply said, there are a lot of British subjects who come from areas some distance from Canada and who do not have the same understanding of the system as I think was originally intended when people came from Great Britain.

We feel that in order to make it conform with the federal act, which clearly states that Canadian citizens are the only ones who can vote federally, and to bring it in line with a bill that my colleague the member for Kitchener (Mr. Breithaupt) has introduced to try to make those voting in provincial elections uniform, that only Canadian citizens can vote in provincial elections, I think it is only reasonable that only Canadian citizens should be able to vote in municipal elections.

This would cut out a lot of the confusion that has come about in the last few months when enumerators have gone out to try to determine who can actually vote. So in that spirit I

introduce this bill and hope we will be able to get second and third readings on it.

Mr. Speaker: May we have unanimous consent to revert to petitions?

Agreed to.

PETITION

COMPENSATION FOR UFFI HOME OWNERS

Mr. Bradley: Mr. Speaker, this petition is addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

We the undersigned beg leave to petition the Parliament of Ontario as follows: For permission to make a late appeal to the assessment review court for the 1982 taxation year concerning the assessments of our homes insulated with urea formaldehyde foam insulation.

These are residents of the city of St. Catharines.

11:20 a.m.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, before the orders of the day, I would like to table the answers to questions 183, 538, 542, 543, 544. 545, 546, 547, 612, 613 and 614, all standing on the Notice Paper [see Appendix A, page 4972].

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, MANAGEMENT BOARD OF CABINET (continued)

On vote 401, ministry administration program:

Mr. Nixon: Mr. Speaker, it is so much nicer when my friends are not here.

Mr. Conway: You have a way of driving us out.

Mr. Nixon: I would like to put a couple of questions to the minister pertaining to control of the computer services he was referring to in his opening statement, which must be a matter of some concern to him and his colleagues. The minister must surely be aware of the widespread subversion of computers, not only for the removal of confidential information but to amend that information in the case of drivers' licences, and for instruction to the computer to pay cheques to people not authorized to receive government funds.

As a matter of fact, our own library has a number of publications indicating how in many jurisdictions this has become a large and growing problem. One of the more interesting aspects of these publications is the difficulty in auditing government programs wherein it is obviously essential the auditor must not only bring in his own computer operator, but to some extent must prepare his own program to review any possibility of errors in the payment of government funds.

There is no doubt in my mind that with a computer service as large as ours, one which grew in size this year according to the minister by an additional $130 million worth, there must be people who are skilled in the field, and some amateurs who develop great personal skills, who can invade the computer memory banks and provide instructions for the computer which normally would not be there.

It is interesting to note that these esoteric instructions, which are completely beyond the understanding of most of us here, can even include safeguards which mean the special additions to the program are wiped out after the program has accomplished what the intruder wishes it to accomplish.

These computer programs control many of the direct administration of government programs, the payment of many cheques to senior citizens and to farmers for tax credits, and the automobile licensing provisions we have. In many instances they are not immune to invasion.

One of the great problems other jurisdictions have found, which we have not so far become aware of here, is the difficulty of auditing any invasion which might occur. Since it has occurred so frequently in other jurisdictions similar to our own, such as the states of California, Michigan and New York, naturally it can only be expected that it is possible it has occurred here and, in fact, is quite probable it has already occurred.

I wonder if the minister can explain what safeguards he has put in place in his large management programs to safeguard the integrity of these programs and, through that, the taxpayers of the province?

Hon. Mr. McCague: Mr. Chairman, the security of the system is actually monitored by the Solicitor General (Mr. G. W. Taylor). I guess the only other protection we have is that the codes are changed from time to time. I agree with the honourable member about the security of computer systems and the advent of computer crime. We are well aware of that. But we do not think we have in this jurisdiction the same problems that have been brought to our attention in other jurisdictions.

Mr. Nixon: Do you mean we are basically more honest, or dumb?

Hon. Mr. McCague: As I said, the Solicitor General is monitoring this.

Mr. Nixon: I would like to pursue it a bit further, even to recommend that the minister might do something that perhaps he has already done, which is to read some of the articles that the library can provide—they provided them for me—as to what the experience has been in other jurisdictions. It really is frightening when some of the senior people developing the programs and the hardware for IBM and other companies with which we do business, have pretty well admitted that their best efforts have often been broken into in a matter of seconds.

It is also interesting that while we may think we are safeguarding the security of the memory banks, the lists of people to whom cheques are sent and the very carefully controlled information that goes with medical records and applications for drivers' licences and so on, can be subverted, not by somehow breaking in through a fire door in the building where the computer is, but simply by gaining access from another computer terminal.

Even with these codes, in some instances it is quite possible, with a five-digit or six-digit code, which would have hundreds of thousands of combinations so that you would never think it could be broken, for a careful, innovative and well-trained person to set his own computer to go through all the possibilities. He can leave it running all night and you can return to find that the security of an elaborate code system has been broken by another computer. Once that happens, the intruder has access to all the information and can program all sorts of things to his own benefit.

I do not want to spend a lot of time on this, but it happens to be something which I have found particularly interesting and which is bound to give us trouble. It is probably giving us trouble now, whether we know about it or not.

One of the interesting aspects is that, in the case of industry, when there is an intrusion, particularly one resulting in the misallocation of certain funds, they find it so embarrassing that often they do not take the strong legal action that might otherwise be taken. The very idea that this extremely valuable information is so readily penetrated is a source of embarrassment.

The courts also, under certain circumstances, realize that although perhaps hundreds of thousands of dollars have been stolen—and in many instances millions of dollars; it really is the same as holding up a bank, although it has been done in such a clever way, with no one coming around with a gun or making threats—the real difficulty is to explain to a jury what was done. The jury has to have a good deal of expertise even to understand the limits of the crime. It is not enough to say that this person has come in and stolen a million dollars from us. It has to be described what, in fact, was stolen and what the procedure was. Quite often, it is almost impossible to get a conviction, and when a conviction is obtained the penalties are extremely small indeed.

I want to say to the minister that it is worth anybody's spending an hour or two to read what the library has on this. It is a problem that we must have here and we have to cope with it as effectively as we can.

In comparison with almost any other jurisdiction in North America, there is no doubt that we are going right along with them and are ahead of most in computerizing many of our government operations. I certainly have no complaint about this. I believe this is extremely sensible and the future is going to see that many of us, as members of the Legislature, are going to be involved with computers ourselves. It is just a matter of time.

11:30 a.m.

There are those who say that what is happening in the world of microcomputers, those that are available to individuals, businessmen, politicans and so on, is as important in the changing of the way we do our business as the actual invention of printing itself. In the long run, this is going to cost our government, through the Management Board of Cabinet, a good deal more money, because we are going to have to have personal capabilities in this regard as members of the House, and much of our staff are going to have them as well.

I suggest to the minister it is essential that many of us try to keep abreast of what is happening in other jurisdictions and realize clearly that it must be happening here. If it is not, it is because we are under the naïve misapprehension that somehow people in this jurisdiction would not do such a thing; or the other part, which is equally unacceptable, that they are too stupid to do what others, and often their high school students, have done. Neither of those is acceptable.

We simply must come to the conclusion that our computers have been and are being penetrated, that it is costing us money now and that the minister is looking at not only serious losses

of public funds but also very serious embarrassment.

Hon. Mr. McCague: Mr. Chairman, I cannot disagree with what the honourable member says. I am sure it is an area in which he is not too expert, and I am sure that I am not, but I am told that all government systems are protected by a complex security system called RAC-F. It is the responsibility of each ministry to use these security systems, and to date, as far as we know, there have been no significant security breaches.

The RAC-F system is one of the most comprehensive systems in existence today, and it took more than three years to install—

Mr. Nixon: It will take about 20 seconds to penetrate.

Hon. Mr. McCague: The only unfortunate part of the member's remarks is to lay it all on the fact that people are too stupid to do it or, otherwise, they would be doing it.

Anyway, the RAC-F system restricts access to the computer, and to the individual application system, to those with the right to know. That was reviewed earlier this year with the standing committee on public accounts, which seemed to be satisfied with the response, which was very comprehensive.

Mr. Cassidy: Mr. Chairman, I want to bring to the minister's attention the statements made on Monday by Sean O'Flynn, the president of the Ontario Public Service Employees' Union, which simply confirmed and, if anything, strengthened what I was trying to tell the minister on Monday, when we last met on these estimates.

I was warning the minister, because he does not appear to have heard too much about it, about the damaging and destructive effects of the wage controls now imposed or about to be imposed on public servants, and I was asking him whether he could comment on what, if anything, the government intended to do about it.

In view of Mr. O'Flynn's remarks, I feel I was probably being too mild. In his speech, Mr. O'Flynn said a state of war exists between the Ontario government and the trade union movement and any co-operation between the government and its employees has been ruled out. Mr. O'Flynn said the government declared war on unions when it imposed wage controls on 500,000 public employees in the province.

He went on to say the government is "going to have to pay for what it did. There will be no co-operation with this employer, none at all. As far as productivity is concerned, that's a matter for management—even more so today." As far as quality of working life programs are concerned, he said, and I regret this, "They can shove it."

He said the Ontario government is treating unions with contempt and has gutted their role by imposing controls and destroying collective bargaining. "The government can't declare war and then say, 'Let's co-operate,' he said. That's like sitting down for a cup of coffee with someone who has raped you."

Those are strong words, Mr. Chairman. To me, it is significant that Mr. O'Flynn also indicated he would have been prepared to talk about a social contract between the government and labour, particularly public service unions, but over the summer there was no effort made to consult him.

There was a certain amount of communication by the press in mid-July, because as early as mid-July it was clear that the government was considering wage controls and had set up a committee under Mr. Tory in the Premier's office, which was then looking actively at all the options.

I want to ask the minister, quite simply, whether he has done, or has had done in his ministry, a study about the implications of the imposition of wage controls for the relations between the government and its unions, and for the government and its employees, over the long term as well as the short term. If so, what were the findings of any such study?

Hon. Mr. McCague: I am sure the member is going to continue that line of questioning. I just point out to him that what Mr. O'Flynn says is his business. The member knows that very well.

I also read those comments. We have always co-operated with the union, whether they felt it was co-operation or not. In this particular case, while Mr. O'Flynn is making those statements, I do not think the majority of the public servants in this province would echo those comments he has made.

I have explained to the member earlier in these estimates why it was the controls were introduced.

Mr. Cassidy: I do not want to pursue this for the entire time available, because we only have seven hours in total. But I have to say to the minister that I am disturbed by what he is saying. Mr. O'Flynn is not just a public servant. He happens to be the newly elected president of the Ontario Public Service Employees Union.

The minister is saying, basically, that the comments of his opposite number representing

the public servants are of no consequence at all. If that is what the minister is saying, will he confirm that? If it is not, can he explain why the government is paying so little heed to the implications of its actions on the future relations with both the union and the workers?

Hon. Mr. McCague: I think the member knows that we went through the same kinds of things during the anti-inflation program, for instance, when similar statements were made about co-operation and so forth. Following that program, we were able to co-operate and get back to the normal process we had previous to that.

The member knows this is a one-year program. He likes to raise all kinds of fears about what will happen following this one year. I think the government has demonstrated before, and will continue to demonstrate, that these things can be worked out following a control year which government thinks is necessary.

Mr. Cassidy: I want to go on to some of the questions which were left unanswered and which it was agreed by the minister to hold over to Monday. I just want to say that my fears are very real, because I heard yesterday and today of the threat of back-to-work legislation being imposed on Chrysler workers.

The federal Parliament now has intervened in the private sector with respect to the grain handlers, not just by ordering that the workers go back to work and that there be an arbitration but also by imposing a settlement—which is making the employers grin ear to ear as they walk to the bank—by imposing the six and five. This is what employers had been waiting for and had been hoping would happen, and it led them to lock out their workers.

11:40 a.m.

We are seeing with increasing frequency interference in the rights of workers. That is very serious, because those rights of free association and collective bargaining, which include the right to strike, are basic in a free and democratic society. That is something this province and this country have endorsed in the International Labour Organization, for example.

I do not wish to push the comparison too far, but we know from our friends and colleagues in the Socialist International, for example, that the first step taken by any government anywhere in the world that is moving to a totalitarian or dictatorial form of regime is to deprive workers of their rights. Those are the first rights to go, and trade unionists are usually the first people who are picked upon by right-wing governments that are taking power or, for that matter, by so-called left-wing governments that are trying to impose a dictatorial form of government.

I now want to ask the minister a number of questions. They are specific.

My question 8 dealt with the lack of legal rights under Bill 179 and with the denial of the principles of natural justice which have been adhered to in Ontario since the McRuer report which, among other things, makes it absolutely clear that "it is a rule of natural justice that a genuine hearing should be held at which the party affected is made aware of the allegations made against him and is permitted to answer."

In this case, a genuine hearing in which the party can have its position dealt with in public by the tribunal is being denied. If that is denied, then everything else connected with natural justice is effectively denied as well. Why is that being done?

My question 9 was why, having chosen wage controls, is the government discriminating and imposing them on some people for one year, on some for two and on some for three?

My question 11 was, if the government is going to put out any olive branch at all, is it prepared to move in nonmonetary areas where there are some very real and large problems in terms of the statute on public servants in the province?

Specifically, is the government prepared to take away some of the antiquated restrictions on bargaining and some of the antiquated language around management rights which effectively give workers in the public service fewer rights and fewer areas where they can participate in decision-making than almost any other area of the economy where people are organized?

The fourth area where the minister promised to come back with information was with respect to the funding of the superannuation funds.

The fifth area was with respect to worker involvement in the office automation and office of the future projects which the government is undertaking with increasing frequency.

I would like the minister to respond in those areas, as he promised.

Hon. Mr. McCague: I am prepared to address some of those issues.

The question on office automation was, "Why have the representatives of the workers not yet been involved in these office automation projects? Will the minister undertake that in the future the workers, through their union, can be not just consulted, but in fact be participants in

the process of developing new work techniques and new work technology?"

It is important that we all understand what we mean by office automation. As with most organizations, the Ontario government first got involved in automation in the early 1970s when word processing terminals were introduced to automate the jobs of secretaries and typists.

Today, office automation is focused primarily on the role of the knowledge worker and manager. It involves powerful computers, electronic mail services, business graphics, data base inquiry systems and both voice and data communications.

The modern office automation system is designed to increase the productivity of managers and support staff. A recent study by Booz-Allen, Hamilton Inc. identified managers and knowledge workers such as economists and engineers as the groups with the greatest potential productivity gain as a result of office automation.

In the future we anticipate that office automation will increasingly affect those employees in the management class even more than those represented in the bargaining unit.

It is important to note that we do not envisage significant layoffs of office workers in either class as a result of the introduction of such technology. Of course, many jobs will change and retraining will become an increasingly more important part of government employment policy.

However, I certainly can agree with the member for Ottawa Centre that it is critical to the success of any office automation project that all those affected by the technology should be consulted and involved in the design of any such system. In the Ontario government, I believe we already have been successfully doing this.

For example, in a Ministry of Transportation and Communications office automation pilot project, 21 secretarial, clerical and supervisory staff were encouraged to form a committee and to participate in the design of the system. A psychologist was hired to identify human issues and to discuss employee concerns about office automation. A follow-up survey was also completed by all concerned and reviewed by the psychologist. It focused on employee career paths and job design changes. Regular employee meetings were held between employees and management. These are still going on two years later so that employees can offer suggestions for improvement and discuss future plans and development.

I believe that office automation and related health and safety matters affecting employees and their unions should be open for joint discussion between union and management. I certainly have no objection to discussing the impact of new technology with employees and their union.

As members are probably well aware, union and management representatives are activating the joint consultation committee to discuss and resolve the health and safety questions relating to office automation at this very time. The provision for a joint consultation committee has been in the agreement for a number of years. We should be aware that this committee does not have a restricted mandate, so the parties concerned will be able to explore the matters of mutual concern relating to the introduction of new office technology.

There is some allegation that we were not prepared to set up committees on video display terminals. I do have a letter here, sent to Mr. Todd of the Ontario Public Servants Employees Union back in March 1981 and in which Diane Nagel of the Civil Service Commission wrote to Mr. Todd:

"The employer, always sharing the concerns of employees and the union regarding employee health and safety, is prepared to meet with the union in the forum established in article 37 of the working conditions and employee benefits agreement. The parties shall use this forum for the purpose of consulting on matters relating to the health and safety of employees during the hours of their employment."

The member also raised the issue of the public service superannuation fund. As he knows, this fund is under the jurisdiction of the Ministry of Government Services, but the issues regarding it, as well as other pension plans in Ontario, have been the subject of careful study by a select committee of the House following the report of the royal commission on pensions.

The issues raised by the member were among those considered by the select committee, and the recommendations made in the final report of that committee are under review by the government. I could use up time and read those, but I choose not to do that. The member might refer to pages 79, 81 and 85 of the final 1982 report of the select committee on pensions .

I have lost my note on question 8.

11:50 a.m.

Mr. Cassidy: Question 8 was the question about the rights under Bill 179 and the denial of natural justice in that bill. Why should 500,000

workers be denied natural justice when that has been the practice of the province since the McRuer royal commission report on civil rights, which I believe came down in 1968?

Hon. Mr. McCague: I understand the point the member is making. The bill is in committee now. As I understand the member's point, there should be some appeal from the decision of the Inflation Restraint Board. I presume that is the point he is making.

Mr. Cassidy: There is no possibility of an appeal if the worker or a group of workers can neither have a hearing nor be told what the reasons are to justify a decision being taken by the Inflation Restraint Board. If it does not explain its actions and if it works exclusively in camera, it is pretty tough for anybody to launch an appeal, because there are no effective grounds to launch an appeal on. It is the whole area, not just the matter of appeal, that I am concerned about.

Hon. Mr. McCague: I understand what the member is saying, and I understand that it is a matter that is before the committee as it approaches the path of clause-by-clause review.

The other question was number 11, I guess, in which the member is suggesting that the union and the government should be free to bargain on nonmonetary issues even in spite of Bill 179. As I said to the member the last time we were considering my estimates, we are prepared to discuss during the period of the bill what we might do as it applies to the unclassified staff.

I think I should just put this on the record. The member did refer the other day to senior-level discussions between the Ontario Public Service Employees Union and the Civil Service Commission on the general subject of the unclassified staff and specifically on additional benefits they might receive. Both the union and the employer have had an interest in this for some time, and these discussions were undertaken to see whether it might be possible to find areas of agreement.

It was made clear from the start that these discussions were not negotiations, and while it was mutually hoped to find some common ground, both groups understood clearly that no promises or commitments would be made; rather, any areas of common ground could form the basis for future negotiations.

Progress was made in the discussions in identifying various categories of unclassified staff—seasonal, permanent part-time, casual—and various benefits and related difficulties involved in these categories. By the very nature of these discussions it was clearly understood that there could be no assurance of comparability. We made it clear, however, that we did want to work towards improving the benefits and dealing with the other issues of concern.

When the union's demands on working conditions were tabled, there was no reference to the specific areas where earlier discussions had produced common ground. Instead, the demand was simply that all employees should be the same for all purposes, including benefits. Clearly the union knew this position had already been discussed and rejected as impractical. There was simply no acknowledgement by OPSEU of the earlier progress.

Mr. Chairman: While there is a break for a moment, the member for Prescott-Russell (Mr. Boudria) has indicated some interest in the fact that your dialogue, honourable member, is going on at quite a length. When he returns, I wonder whether I could interject and let him get in some questioning along the same lines.

Mr. Cassidy: Mr. Chairman, could I ask him to wait for another 10 minutes and then, whether or not there is a natural break, we will make the break.

Mr. Chairman: All right. Thank you.

Mr. Cassidy: I have comments on a number of points made by the minister. Let me come back first to Bill 179. I do so in some frustration, because the minister knows that this government, through its members on the standing committee on administration of justice, has refused to call the minister before that committee.

It makes it pretty tough for that committee to know how to act, where there is the slightest chance of its deviating from the course that has been laid out by the cabinet, when the Minister of Labour (Mr. Ramsay) and the Chairman of Management Board are deliberately held back from that particular committee.

All I can do is use a few minutes here to ask questions which the committee would have asked. I think it is perfectly in order, particularly since the minister has not shown up at that committee and the committee will not call him because of the Conservative majority.

Let me come back to the question I was raising before. Why does the Chairman of Management Board, as the minister responsible for relations with public servants, think it is desirable to single out these public servants and deny them natural rights that they otherwise would have under the Statutory Powers Proce-

dures Act, specifically the right to a hearing, the right to appeal and the right to know the grounds on which decisions are made by the Inflation Restraint Board?

Hon. Mr. McCague: The member knows that the Treasurer (Mr. F. S. Miller) has responsibility for carriage of that bill on behalf of the government. There may have been some cases where two or three ministers were called during the consideration of a bill in committee; however, I am not aware of any of those, and it is the Treasurer who has carriage of the bill.

As to the point that the member is raising, I personally do not set government policy. The policy is in the bill, which is in committee for consideration, and he will just have to await the outcome of those considerations in committee.

Mr. Cassidy: Did the minister's advisers in the Civil Service Commission who are concerned with labour relations study the bill? If so, what advice did they give to the minister with respect to the advisability of putting workers under a bill that gave them no right to a hearing, no right to appeal and no right to the due process which has been customary in administrative procedures and tribunals in Ontario?

Hon. Mr. McCague: The member knows there was considerable discussion about this over the summer. I had discussion with people in both the Civil Service Commission and the Management Board secretariat. I took the benefit of what I heard at those discussions to cabinet. Cabinet made a collective decision, the result of which is Bill 179. The member knows I am not going to comment any further.

Mr. Cassidy: Does the minister think it is advisable to deprive civil servants, for whom he is responsible, of those rights? If he does not, why is he supporting such a taking away of rights from one particular group of workers in Ontario?

Hon. Mr. McCague: The government position is set out in Bill 179.

Mr. Cassidy: I regret that the minister is not prepared to lift a finger on behalf of the group.

The Minister of Agriculture and Food (Mr. Timbrell) certainly is expected to speak up for farmers, as is the Minister of Labour for workers—although I guess he does not speak up for workers any more. There always had been the feeling that different ministers representing different interests in this pluralistic society would do some battle on behalf of the people for whom they spoke until this minister began to indicate that it is otherwise.

Will the minister explain why there is discrimination in the bill so that some workers are under it for one year, some for two and some for three? Did he try to get that changed? If not, why not?

Hon. Mr. McCague: Again, the member knows the answer to that question. There was a certain group that had not had a settlement for more than a year, there was another group that had not settled for this year prior to the bill and there is a one-year control period. That is where he is referring to the three-year program. As far as the Ontario Public Service Employees Union is concerned, it is actually a one-year program with one small exception of a few doctors within the ministries with whom we have not yet settled.

Mr. Cassidy: The next point that the minister rather skated around is with respect to the nonmonetary issues. This was covered in question 11 in the sheet I gave to the minister. There are really two questions there. One question is, how the devil can civil servants, or any other group of public servants, negotiate nonmonetary issues if they have no clout? In this case, they cannot even resort to bargaining, because the contracts have been extended for a year, without recourse to arbitration in the case of civil servants since they lack the right to strike.

12 noon

My second and broader question deals with the terms of the Crown Employees Collective Bargaining Act, 1972, which are offensive. They reserve as exclusive the function of the employer to manage and the management rights clause makes the worst creation of some management rights' lawyer in downtown Toronto look like a lollipop.

I would like to ask the minister, is the government aware of how out of step and out of date that clause is now? Is the government aware of the need to exercise or demonstrate some leadership in terms of sharing control and sharing decision making with workers? Is the government prepared now to begin to look at working with the union to take away the offensive sections of the management rights clause? Is it prepared to give a right to consultation, involvement and negotiations with the union in areas that are now exclusive to management?

Hon. Mr. McCague: Mr. Chairman, there have been a good many areas of co-operation. I just told you about the unclassified. I would not deny maybe there was a breakdown in communication along the way somewhere on that particular one; they may have misunderstood it,

I do not know, but had the union followed what we set out at the beginning, I think we would have made considerable progress.

The honourable member must know that, for instance, we agreed to set up a committee on video display terminals. That was not done. Then there are the kinds of comments that we get about quality of work on a project. How do you get a spirit of co-operation when you have told me today about the kinds of comments that Mr. O'Flynn is making?

There are certain items which we are prepared to discuss and we can have agreement on nonmonetary issues if it is the will of the union that be done. There are two or three areas. We have already mentioned office automation. I have mentioned our willingness on the VDTs. There are the areas of health and safety and unclassified. Those are three or four areas where we are prepared to carry on discussions during this year. There is no reason why we should not have agreement on some of them.

Mr. Cassidy: As I said before, it is going to be difficult, the actions of the government have made it so, to have a lot of discussion in the coming months. How you get out from that I do not know. You cannot keep on in a state of war forever. There are problems which are important and which some day are going to have to be tackled.

If I can be specific, the minister gave an example of the difficulty of the current grace-and-favour system when he was talking about the discussions that have taken place about the unclassified. He said that he was agreed nothing would go to negotiation until common ground had been found. He said common ground was found.

Then he said when it came to negotiations the union did not put on the table what in management's view had been agreed. Does it mean, therefore, the union has got to find the precise form of words in order that the matter can then be worked out in the negotiation process? Or does it perhaps mean there were subsidiary negotiations, which is effectively what might happen, where the specifics of what is meant can be hammered out, then take that jointly to the bargaining table?

If I was involved with a union and there was a general feeling about common ground, but it was still a bit fuzzy, I would not bring it down to the narrowest possible point and say that was the starting point, I would say that now we are at the bargaining table to hammer out in specific terms what we found to be common ground within general terms during the course of consultation.

I am not clear if that is exactly what happened. In fact, when the union said that at the bargaining table, instead of the management side responding by saying, "Definitely, that area is up for discussion, but these are the parameters we see. Now, let us work it out;" any trust that existed was broken because management said, "That is not on the table at all." They appealed whether it could be bargained at all.

That also would not have occurred if the Crown Employees Collective Bargaining Act was not so restrictive, but CECBA is extremely restrictive. Is the minister prepared to review CECBA? Is he prepared to abandon some of those protections that belong in the 19th century in terms of management rights, and do that as a token of whatever goodwill is left on that side towards its public servants?

Hon. Mr. McCague: I will take that matter under consideration and discuss it with my cabinet colleagues in the near future.

Mr. Chairman: I want to bring to the attention of the member for Ottawa Centre that he has actually had 12 minutes since he indicated he wanted 10.

Mr. Cassidy: The member for Prescott-Russell was not in his seat until about a minute ago.

Mr. Chairman: That is because I left him a little note saying how much longer you wanted to be.

Mr. Cassidy: I was just pointing out that I did look a couple of times to see if he was in his seat. Now that he is, I know he will have something productive to contribute because unlike his colleagues, he usually does.

Mr. Boudria: I accept the compliment of the member for Ottawa Centre with the exception of that last caveat. I think all members of the Liberal caucus have worthwhile contributions to make when we are discussing estimates or anything in this Legislature or elsewhere.

I have a few questions I noted the other day when the Chairman of the Management Board of Cabinet gave us an overview, if I can call it that, of his department. He went on at length to describe the number of positions that were saved. In other words, he indicated there were fewer positions now than there were a few years ago. Can he give us some indication as to the number of contract positions he has now as opposed to what he had at that time? Also, how much work is now being done by consultants in

proportion to what was done a number of years ago?

I understand the minister is always comparing the years 1975 and 1982. I wonder if those comparisons could be made so that all members of this House could truly know whether there are fewer positions. Those statistics could be misinterpreted; they could even be misleading if taken without that additional information.

On page 3 of the minister's speech, he says the following, "Management Board has also approved several new expenditure policies to increase its control over spending." Does this mean that under these new policies, such situations as that of Minaki Lodge would not recur? Can the minister tell us what he is going to do with that kind of potential situation in the future? Would he treat it differently than it was treated at the time the decision was made?

Minaki Lodge is only one example of what I am discussing here as far as management overspending is concerned. There are obviously several other areas and we have stated them at length in this House on several occasions. But whether they be expenditures of other departments or that particular one, the principle is the same.

We could talk about public opinion polls the government has taken on occasion. Does the minister feel that kind of expenditure of public funds is the proper way money should be spent? Perhaps he will tell us that does not fall within the purview of Management Board but, either way, I would like to get your position on that, Mr. Minister.

12:10 p.m.

This is taken in the context of what you stated on page 5 of your opening remarks, "This government has, over the years, developed a reputation for good management in the public service." Certainly, we have seen examples over the last few years which tend to contradict that statement.

One of my particular beefs is the whole matter of the buy-Canadian policy of the Ontario government. You are probably aware that it has been questioned several times in the House, whether it was about the Minister of Transportation and Communications (Mr. Snow), who specified in a tender that he wanted to buy a Yamaha snowmobile, or about GO Transit, which I understand recently purchased a computer for several hundred thousand dollars from, of all places, an American company, the Rolm Corp.

All this is going on at the same time as your government is opening hi-tech centres in Ottawa to develop our computer industry. There is one in Ottawa, and there are other hi-tech centres that you are opening across the province, all with this new high-technology in computers. It is difficult to understand those things going on at the same time in this province. I hope you will help us understand exactly how this buy-Canadian policy works.

I understand you have a small premium for Canadian-purchased goods of something in the order of 10 per cent. This means, all things being equal, that you would consider a Canadian product that is 10 per cent more expensive than an American or foreign one to be of equal price. With the present unemployment in this country and in this province, I would contend that a 10 per cent premium is insufficient both to protect employment and to create new industries.

I need not remind the minister that upon occasion I have brought boxes of government-issue stationery into this House and have asked individual cabinet ministers to explain why we could not buy a pen in this country. The latest catalogue of the Ministry of Government Services, circulated to us last week, still contains the notorious Paper Mate pen that the minister wants us to buy at a cost of $1.40 or $2 each to hand out to friends, constituents and so on. As the minister knows, Paper Mate pens are made only in the USA. On the other hand, there are several companies that produce pens right here in Toronto and surrounding areas. There are probably some in your own riding.

I find that sort of thing disturbing. Not only would I like you to explain what you are doing to attempt to change the buy-Canadian policy, but whether you as a government plan to increase the buy-Canadian premium. I believe that is important in establishing new employment and conserving existing jobs.

I will place all my questions at once and perhaps the minister can then answer them all in one fell swoop and get it over with.

On page 12 of your speech you talk about privatization. This section of your speech concentrates on describing the virtues of having things run by the private sector versus the public sector. Generally, there is some merit in that, but I would like to know where the purchase of the shares of the Suncor oil company fit into that part of your speech, because it is obvious that was privatization in reverse.

While the minister is talking to us about Suncor, perhaps he could describe to us whether or not Management Board was involved in that

purchase in any way, whether in his opinion it was a good investment from the management standpoint and whether he thinks that in the long term or the short term we will ever get our money's worth out of the Suncor purchase. He should also, of course, perhaps indicate to this House whether he thinks the Suncor funds could have been used to create employment and generally to provide for better government or better management by results had the money been used elsewhere.

That pretty well sums up the questions I had, Mr. Chairman, in so far as those areas are concerned.

I have one other question regarding the civil service and public service employees.

We are all concerned to ensure that the employees who work for the good people of this province always produce the best results, and I know that a large part of the minister's speech concentrates on that area. Could the minister tell us how many employees have been dismissed over the last few years—perhaps he could tell us for last year or the year before—for incompetence? Much as we like to pride ourselves, and with reason, on the good quality of our public servants, the people we hire are human and inevitably, as in all other sectors, some of them will be in positions where they are incapable, for whatever reason, of accomplishing the tasks that have been assigned to them.

I would just like a number, because in the past I have heard that the number of those who have been dismissed for incompetence over the last few years is very close to zero. Perhaps the minister could clarify that for us just to give us an idea of how many of the 67,000 or 70,000 public servants have had the unfortunate experience of being removed from their positions because they were unable to fulfil the tasks assigned to them.

Those are all the questions I can think of for the time being, Mr. Chairman.

Hon. Mr. McCague: Mr. Chairman, it is always a little difficult when the honourable member puts so many questions together, but as I recall, the first one was could I tell him how many unclassified staff there were in the past five or so years. I have the March 31 figures. In 1977 there were 14,716; in 1978, 13,330; in 1979, 12,646; in 1980, 12,241; in 1981, 13,208; and in 1982, 13,509.

In the second question the member asked if we had cut down on the numbers of civil servants and if we now have more consultants than we had. We believe that such is not the case. However, to double check that, instructions will be issued to the ministries to report the number of contracts they have on a regular basis. We as well as you want to get a handle on that, but we believe that there is not any abuse of that system.

The member then went on to raise the issue of Minaki. He thought that kind of decision was one that the Management Board probably should not allow. I have to point out that certain policy decisions involving money are taken where Management Board has an input at cabinet but where a collective decision is made, as the honourable member will appreciate, and then—

12:20 p.m.

Mr. Piché: Is it not allowed because it is in northern Ontario?

Hon. Mr. McCague: Well, the honourable member makes an excellent point.

Mr. Boudria: It seems that every time you try to do something in northern Ontario—

Interjections.

The Deputy Chairman: Order. You can have the floor at the appropriate time, but interceding like that is not the way to do it.

Hon. Mr. McCague: The member for Brant-Oxford-Norfolk (Mr. Nixon) jumped up very quickly today and did not give me time to respond to some of the questions that both he and the member for Ottawa Centre (Mr. Cassidy) had raised.

The other day, the member raised a question about what Management Board's involvement was in Townsend, much the same as he spoke about our involvement in Minaki. The planning and development of Townsend, as the honourable member correctly noted, is the responsibility of the Ministry of Municipal Affairs and Housing through its agent, the Ontario Land Corp.

On the specific matter to which the member referred, the construction of the regional administration building, Management Board authorization was originally required so that the OLC could enter into agreement with the regional municipality. The estimated capital cost of the new building was $2.7 million, and board approval was made conditional on the ministry finding the required resources from within its existing allocation. This authorization was given in December 1981.

As to the landscaping and other details of the development that the member described, he would have to refer to the Minister of Municipal Affairs and Housing (Mr. Bennett). A large part

of the development expenditure on Townsend and other OLC projects is funded out of the corporation's retained earnings.

The member also remarked on the rental of the property acquired in Simcoe. I can only advise him that as yet no arrangement has been made and Management Board will be reviewing any proposal of this nature that comes forward.

The member spoke of restraint. I would just say that this year the Ministry of Municipal Affairs and Housing has pared its budget by over $20 million as part of the government-wide restraint program.

So in answer to the member about the Minaki project, that is government policy. If the funding—

Mr. Cassidy: Anything controversial is not your responsibility, eh?

Hon. Mr. McCague: No, the honourable member knows better than that. As much as possible we allow the managers to manage and the ministries to run their own affairs. We review some of these projects when we are considering the estimates of the various ministries, but they do have some freedom. But any time there is a deviation from the manual of administration, they are required to come to us. As to the policy on Minaki or Townsend, however, that really is not one we at Management Board made per se.

The member raised the matter of public opinion polls. Those are polls that are authorized by various ministries, and it is not within our jurisdiction as to whether they do or do not.

The honourable member raised a good point about the buy-Canadian policy. I am not aware of any discussions that have been held that would say there should be more than a 10 per cent Canadian preference. And I am not sure whether he was referring to a computer purchase by the Ministry of Transportation and Communications or by the Urban Transportation Development Corp.

Mr. Boudria: If I can clarify that, Mr. Chairman: That particular purchase is a GO Transit purchase, but there are several other examples I have brought to this House.

Another one, regarding a snowmobile, for instance, specified on tender that it must be a Yamaha. That happened last year in the riding of Victoria-Haliburton. Other examples are in relation to stationery items purchased under the procurement policy, and so forth.

Hon. Mr. McCague: With those things that come before Management Board, we always check carefully that the product is not available in Canada or that a 10 per cent preference is applied. There have been several, which you may not have heard about, that have been refused at Management Board on the basis they were offshore or were not Canadian.

We do have a buy-Canadian policy. It is strictly enforced. I understand what you are saying about the new technology centres across the province. Unfortunately, GO Transit probably needed a computer. It wanted one then. If the technology or the product is not available in Canada, it is difficult to wait until it is developed. Those centres are there so the likelihood of that happening in the future will be less and less as time goes on.

On the privatization issue and whether Management Board approved the purchase of Suncor, that was a government policy decision. Do I think it is a good deal? You know why it was done: Canadianization. You will have read the third quarter earnings report of Suncor. It must make you a little angry it is that good. I was going to say it must please you, but it probably makes you a little angry it is that good. Do I think it is a good deal for the future? Certainly, I do, with those earnings in the depressed state of the economy. I think I should tell you that.

The number of dismissals: We do not have a breakdown of reasons for dismissal. In 1979-80, 59 employees were dismissed; in 1980-81, 90 were dismissed; and in 1981-82, 55 were dismissed. I think that is the figure the member asked for, was it not?

Mr. Boudria: There is one question which I do not think the minister has answered. I realize I asked several and perhaps he missed this one.

It related to Minaki Lodge and other examples like it. What I wanted to know from the minister is, given what you are indicating in these opening remarks with regard to the tightening up of certain policies and so on to achieve better management, do you think that it was a logical thing to do at that time? I am not asking you now. Obviously somebody thought it was because it was done, as much as we realize now it was ridiculous; even though the member for Cochrane North (Mr. Piché) may think spending that kind of money on a hotel with no rooms that is not located in his riding is a good investment. I still do not think it is.

Mr. Piché: What do you mean ridiculous? Take that word back. It was a good move and I hope they continue.

Mr. Nixon: Only cabinet ministers can afford to go there, if they ever do get there.

Mr. Piché: I went and I know what I am talking about.

The Deputy Chairman: Order.

Mr. Boudria: Nevertheless, I am sure history will show that was a blunder. It is something like the land banking schemes, the visions and so forth that the former Treasurer of our province had one night when riding in the back of his limousine.

What I want to know is, could this situation happen now that you have what you consider to be tightened up policies, new expenditure control strategies, new management-by-results initiatives, new policy and program review procedures and so on which you have listed? Could that happen now?

12:30 p.m.

Hon. Mr. McCague: Mr. Chairman, the member started off by asking if something could happen, and asked, "Could this happen again?" Could what happen again? What is he referring to?

Mr. Boudria: The purchase of Minaki Lodge or a purchase like that, which was obviously a situation that would result in taking a whole lot of good money to chase a very bad smaller investment. With the new tightened policy he has, would he venture into a deal like that now? Or would he be better equipped to analyse the situation at the beginning and say, "Hold on here, this is certainly not something we should get into because obviously the end result will only compound the initial loss many times over"?

Mr. Nixon: Would you like to defend it as a wise disposition?

Mr. Piché: We could throw another $20 million into Roy Thompson Hall here. Nobody's raising that question.

The Deputy Chairman: The honourable member has a way of not listening to the chair.

Mr. Nixon: There is an easy solution to that.

Ms. Fish: Are you calling us to order?

Hon. Mr. McCague: Mr. Chairman, could you keep my colleagues under control please?

Minaki was a government policy decision, as the member knows. Can I as one member of cabinet, or a person in my position say to cabinet, "No you can't do that because I personally don't happen to like it;" me coming from southern Ontario as you do and the member coming from northern Ontario as he does?

Mr. Boudria: I come from eastern Ontario.

Hon. Mr. McCague: You are south of a lot of places in northern Ontario anyway.

The answer to that is no. Will there ever be those kinds of investments again? It may well be a very excellent investment. The member probaby got a brochure on it just in the last few days. It is run by a firm which is very expert in the field, a world-wide chain of hotels. I think it may very well turn out to be an excellent investment.

Mr. Nixon: It's been going on for seven years now. You should give it time.

Hon. Mr. McCague: I am a little more patient maybe than the member is. I will adopt the stance of wait and see in that respect, a little like the member for Brant-Oxford-Norfolk.

I should just add to the answer I gave to the member on dismissals. There is also the category of release, which covers those who were released during their probationary period. Maybe I should give the members those figures too. For 1979-80 it was 77, for 1980-81, 26 and for 1981-82 it was 75.

Mr. Cassidy: Mr. Chairman, to come back to the questions I was raising before, I wanted to have a word more with the minister about the question of superannuation first.

I recognize there is now a report from the select committee on pensions that the minister referred to, but just to remind him of the problem we are facing, the fact is that the Civil Service Commission reports indicate very clearly that half of the people who come into the public service of Ontario will never qualify for a pension and 68 per cent of the women who are newly hired will not only not attain a pension, they will not even attain vesting. In other words, they will not get anything out except their original contributions, with an interest rate which is currently five per cent.

When one looks at the amounts that are actually paid and looks at the chances people have of getting anything like a decent pension it is a crock, it is a joke. It does not really work for most people.

I would like to ask the minister, with respect to that: First, is he now prepared, independently of the select committee, to agree that pensions will become bargainable as far as the public servants in the province are concerned?

Second, is he prepared to admit that the investment policy of the superannuation fund is misguided, that it has been consistently performing below the rate of inflation when in fact private pension funds have consistently been

performing at two to four per cent above the rate of inflation?

Third, if employees leave the public service, are you prepared to let them take out the government contribution made on their behalf or put it into a registered retirement savings plan or equivalent; and is the minister prepared to give them a more adequate rate of interest than the five per cent which is now paid?

Hon. Mr. McCague: All those matters are addressed in the report to which I referred earlier. I have it here. I could read what it says, but that is not necessary.

The member knows I am not going to make a commitment on behalf of government as to what would be done in those various areas. The suggestions are there. There is a suggestion about setting up a board to consider some of the items the member mentioned. I am presuming all the questions he asked are about things he is in favour of. They will be given due consideration as the cabinet considers the pension commission's report.

Mr. Cassidy: I do not want to pursue the matter further, except to express concern over the fact that, while the mills of government grind fine and long, in the meantime people's basic rights are affected. They are contributing to a pension plan from which many of them will not be able to benefit because of the time decisions take.

I think it is appropriate from time to time to say: "We're blowing it. We have had 25 years to sort this out. Let's make some interim decisions that at least would improve the situation for the public servants."

Given the magnitude of the recommendations of the original royal commission and then of the select committee report, it is clear to me that is not going to be achieved or implemented overnight. It is going to take a great deal of time. If nothing is done, then in the meantime most people who join the civil service will never get a nickel back in pension as a result of it, despite the promises made. If that is the case in the public sector, it will be even worse in the private sector.

I want to question the minister briefly about political rights, because this matter was entered into very quickly at the close of the session on Monday.

The federal Conservative Party, speaking through its leader among other things, has indicated its concern in the wake of the Neil Fraser case and other cases affecting federal civil servants who were fired or severely disciplined for commenting publicly on matters that were deemed to be political, but which were outside the areas within which they were working and had nothing to do with their jobs and their particular departments. Those employees were disciplined or fired.

In the wake of that, the federal Conservatives have clearly said they want the matter of political rights referred to a parliamentary committee where it could be discussed and debated so something better than the federal act which was adopted back in 1966 could be devised.

In Ontario, we are working under the Public Service Act, which I guess dates back to 1972. It is equally offensive and unfair. As I pointed out the other day, one of its provisions prohibits a public servant from speaking publicly on any matter which forms part of the platform of a federal or provincial political party.

That section may in fact be ultra vires under the Charter of Rights of the new Canadian Constitution. Rather than waiting until the courts have decreed that, would the minister be prepared to acknowledge the sheer difficulties of applying that?

Second, would the minister explain how a civil servant is to know what is in the platform of the various political parties when only the New Democratic Party comes anywhere close, through convention resolutions, to determining what our platform happens to be?

In the case of both the Liberals and the Conservatives, the last platform the Liberals published was probably the big long one that Bob Nixon had back in 1971. That covered everything. But neither party has made it a custom to publish an official platform and, for that matter, even if they had it seems pretty tough to tell a public servant, "You have to go and read all the fine print before you know whether you can talk about any matter at all."

12:40 p.m.

Third, there is a direct conflict in terms of the actions a civil servant may take while on the job. By that I mean that if a civil servant is told, for example, "As part of your job I want you to go out and make a speech to a Rotary Club in Whitby about what the government is doing in this area under the Board of Industrial Leadership and Development program," that is, I suppose, a legitimate thing to ask a public servant to do.

But if anything entered into the platform of the Conservative Party at the last election it was the BILD program, and in exercising his functions under the job and carrying out the wishes

of his boss or bosses that public servant would in fact be speaking publicly on a matter that formed part of the platform of the Progressive Conservative Party in the last election. The interesting question there is, would that be allowed, or could that public servant be disciplined. The answer is that the public servant would not be disciplined, because the people who could discipline him are the ones who sent him or her out.

None the less, I think the minister will see that since there is not even a saving clause in the legislation that says, "Except for carrying out their duties as part of their conditions of employment," then any time a public servant makes a speech to a group of students or before some interest group or makes a presentation on behalf of the government before the Canadian Radio-television and Telecommunications Commission or something like that, he is in fact violating the law.

The reason I raise this is to ask, given all of this, is this minister prepared to recommend to his colleagues that the matter of the political rights of public servants be referred to a committee of this Legislature in the same way as his federal leader recommends this to the federal Parliament?

Hon. Mr. McCague: Mr. Chairman, this item was discussed briefly before. I think the honourable member is very clear on the government's policy. I have explained to him that although we have been asked, we have not chosen to extend political rights. You can always bring up a little case or two, as the member has just done, as to what might happen.

I do not think there is a civil servant working for the government who does not realize what his position is on the political rights side. As I said, periodically I consult with the Attorney General (Mr. McMurtry) for a legal opinion onthis. He seems to be satisfied that there is nothing wrong with our position on political rights, and I am not considering recommending a change at this time.

Mr. Cassidy: The federal Conservative Party has said that there should be a change and that public servants should not be disciplined if they happen to speak out on matters that do not directly involve their jobs or their departments. Why does the minister disagree with his federal party?

Hon. Mr. McCague: I did not intimate that I disagreed with them; I just said we were not contemplating any changes at this time.

Mr. Cassidy: Why does the minister take a position so contrary to that of his federal party? Are they wrong?

Hon. Mr. McCague: No, we had our position first. They took one contrary to us.

Mr. Cassidy: Let me just pursue this a bit further. Can the minister explain why no action is taken when prominent civil servants directly involve themselves in politics? I raised last year the case of Mr. Stewart; I want to raise this year the case of Mr. Hugh Segal, who was deputy secretary to the cabinet for federal-provincial relations. I checked, and that is a position that comes under the civil service act; it is not an exempted position and, therefore, not only is it a position that should come under the Public Service Act but, as the minister knows, the restrictions on senior public servants at the deputy minister and executive levels are a great deal stricter than they are for people who are working as clerks or secretaries or truck drivers.

Given that, why was Mr. Segal permitted, without any disciplinary action, to comment on what was going on at the conventions that were being held at the Toronto Hilton Harbour Castle Hotel for the leadership of the Liberal and New Democratic parties a few months ago? Why are exemptions made for prominent civil servants who happen to have had connections with the Conservative Party before they took jobs which are supposedly impartial?

Hon. Mr. McCague: I think we take the same action with civil servants at all levels. We do caution them to avoid any activity which would be contrary to the act.

Mr. Cassidy: Mr. Segal was on television, off and on for about 15 or 20 hours over the course of those two conventions. Was any caution given to Mr. Segal about what he was doing at that time?

Hon. Mr. McCague: Not that I am aware of.

Mr. Cassidy: Then why does the government threaten—and this happens—low-level civil servants for political activity while turning a blind eye to the activities of the most prominent people who are in extremely sensitive positions at the executive or deputy minister levels?

Hon. Mr. McCague: I think it is true to say that Mr. Segal is an employee in the Office of the Premier (Mr. Davis). The member had employees in his office when he was leader of his party, and the leader of the Liberal Party has staff in his office, who appear from time to time in that kind of forum. I think it is rather unfair, in that regard, to mark somebody in the Pre-

mier's office as being different from somebody who is in the member's office

Mr. Cassidy: With respect, to be deputy secretary to cabinet for federal-provincial relations is not the same as being the press adviser, who is the political spokesperson for the Premier, nor is it the same as the job Mr. Segal previously held, that of principal secretary to the Premier. Is the minister saying there is a new rule abroad that deputy and assistant deputy ministers can participate politically regardless of the provisions of the Public Service Act and of the traditions the minister has described?

Hon. Mr. McCague: No, I am not saying that at all. I will check to see whether Mr. Waldrum may or may not have spoken to Mr. Segal about this matter at the time. I personally did not.

Mr. Cassidy: Could the minister say why there is a double standard when it is Hugh Segal, who happens to be a buddy of the Premier? What is the minister doing to stop this increasing politicization of the senior ranks of the civil service in Ontario?

Hon. Mr. McCague: There is no double standard.

Mr. Cassidy: It looks like a double standard, talks like a double standard and walks like a double standard.

Mr. Boudria: Maybe it is a double standard.

Mr. Cassidy: Maybe it is, that is right.

I would like to go on to questions of spending by the government and review by Management Board. In the minister's statement he said, on page 3, "Management Board will pay particular attention to the cost implications of policy and program changes prior to the consideration by cabinet for 'approval in principle.'"

These are my notes so I do not have the exact quote, but he mentioned his intention to reinforce the value-for-money approach. Could the minister share with us how that approach was taken with respect to the decision by the government to spend $650 million for the acquisition of 25 per cent of Suncor?

Hon. Mr. McCague: That question has already been answered once today. I told the member that was a cabinet decision, one which I had my chance to say a few words about. The policy was to buy 25 per cent of the company. That was done and paid for.

Mr. Cassidy: Just recently, Petro-Canada bought all of BP's refining and distribution activities. It has about 50 per cent more service stations in its network than Suncor's. Petro-Canada paid $350 million for its acquisition, whereas the acquisition of one quarter of Suncor has cost $650 million.

12:50 p.m.

As part of the value-for-money approach, has there been a post-audit within Management Board of the economic viability of Suncor and whether, or to what degree, the decision to acquire Suncor was justified in view of the statement that you intended to pay particular attention to the cost implications of policy and program initiatives of the government?

Hon. Mr. McCague: The answer as to whether we have done an audit is no.

Mr. Cassidy: Has Management Board, as part of its projections, sought to anticipate how much will have to be paid by the government over the course of the next 10 years because of the ill-advised purchase of Suncor when the government plunged at the top of the market? What studies, if any, have been done by Management Board about the overall cost implications in the future of the Suncor purchase? What benefits will there be, if any, from it?

Hon. Mr. McCague: We have not done any. Those projections would come from Treasury.

Mr. Cassidy: The reason I asked is that once again it seems there is a double standard. If it is a pet project of Malcolm Rowan and of the Premier, then no matter how much money is involved the minister seems to ignore it.

On the other hand, the minister is spending a great deal of time trying to find small amounts of money which can be cut back, and a great deal of time encouraging such initiatives as the one taken by the Minister of Community and Social Services (Mr. Drea) where he is determined to cut six centres for the mentally retarded across the province with some loose guarantee about alternative services, guarantees which we know from the experience of Lakeshore Psychiatric Hospital are often not honoured.

How come the minister can get so tough and so tight when it comes to cutting back on social services but not look at all at the policy of cost implications for something as major as the $650-million venture into Suncor? Why the double standard there?

Hon. Mr. McCague: The member is espousing a lot of NDP philosophy in that question.

Mr. Boudria: Remember the first day when he wanted to buy 51 per cent of Suncor?

Hon. Mr. McCague: That is right. He wanted to buy 51 per cent. The member is now very

critical of the decision that was made regarding those facilities. As for the the Minister of Community and Social Services, I hope the member agrees with the Ontario Association for the Mentally Retarded and the minister that those people should be deinstitutionalized. That will progress over a period of time.

This government has an excellent record of placing employees whose jobs have disappeared, so to speak, in the areas where they are at present. It is an excellent record. Show me one that is better. We work very diligently at it. Even in the case of Lakeshore Psychiatric Hospital, the record was reasonable.

Mr. Cassidy: You have not yet answered about the X-ray people.

Hon. Mr. McCague: Incidentally, let me expand a bit on that. The member raised the point that X-ray technicians were being flown to Toronto to be fired. I think that is the way he put it. He knows the Ministry of Health decided to discontinue the operation of the various chest clinics. The staff involved were located in 13 municipalities as well as Toronto. It was felt it would be more appropriate and responsible to bring these people together at one time so that each received the same information on a personal face-to-face basis. This process also involved individual personal interviews and counselling sessions.

In all, there were 122 people affected, of whom 32 are being reassigned to related programs elsewhere; 90 were told they would be surplus. The member questioned the government's good faith. I would conclude he is not completely familiar with the realm of provisions of the working conditions agreement. Article 24 deals generally with job security, covering such issues as notice periods, rights to assignment to vacancies, layoff and displacement.

You know the various provisions of that. You should know that all bargaining unit employees were given 12 weeks' notice. I think that is an expression of good faith. Bringing the people to Toronto and the arrangements made for the personal interviews rather than receiving such notice by mail were, in my opinion, an expression of good faith.

Mr. Cassidy: Getting their last paycheque on Christmas eve; that is real big.

The Acting Chairman (Ms. Fish): Are there further questions?

Mr. Cassidy: Madam Chairman, my question, which the minister failed to answer, was, why do you grind so small in trying to save a few tens of thousands or a few hundreds of thousands of dollars in various parts of the ministry, particularly when it comes to social services, then turn around and play no role at all in evaluating either the initial decisions like Suncor, or the future cost implications of a decision like Suncor? I ask again, why that double standard?

Hon. Mr. McCague: It is not a double standard at all. I understand the member's right as opposition, I understand that he would use the kind of criticism he has used ad nauseam for the past year and a half on the Suncor thing. It comes up and it comes up and it comes up.

What you forget to realize is you think it takes $625 million every year to do that. You will not acknowledge the fact that there was an initial investment made that is done and over with. You just will not get that through your head.

Next, the member put forward the position on behalf of those on family benefits and general welfare assistance, and he put forward his reason for the institution closings. The member and I are very familiar with that and I think it is all good policy.

You are asking why we pick and pick away. This year we have, through constraints, constrained about $400 million in all of the ministries. I do not think one can call that picking away.

Mr. Cassidy: The $400 million is taken on the one hand and in some cases the savings may be justified, but in other cases needed and essential services are being taken away.

Then the government turns around and in that particular year it blows an amount 50 per cent greater to purchase a quarter of an oil company, not knowing why it is doing it or what it wants to do with the investment. Now, with hindsight, looking at the figures from last year we could have bought 70 per cent control of all of BP, including their exploration and their properties. For approximately $650 million, we could have had a majority control for considerably less than the government has paid for 25 per cent of Suncor. BP has a much bigger operation here than Suncor.

Perhaps it is time to call a halt to this. Perhaps I will simply ask the minister to respond to these questions when he comes back.

I have been looking at some of the silly speeches being made by various ministers. Today, I have an answer from the Minister of Agriculture and Food (Mr. Timbrell) that indicates Roy MacGregor was paid $1,250 just to prepare a

speech that was delivered in front of a handful of people at the Canadian Club in Burlington, Ontario, on September 21, 1982. I would be interested to know what Management Board's policy is with respect to using public funds to cultivate the image of various members of the cabinet and whether the minister will crack down on this, or whether he has decided to encourage it as part of a way of keeping Ontario strong and Tory.

The Acting Chairman (Ms. Fish): This seems to be an appropriate time to have a motion to rise and report.

On motion by Hon. Mr. Wells, the committee of supply reported progress.

The House adjourned at 1 p.m.

APPENDIX A

ANSWERS TO QUESTIONS ON NOTICE PAPER

HEALTH COMMITTEE MONITORS

183. Mr. Wrye: Following the response to question 132, would the Minister of Health indicate the names of the Ministry of Health employees who monitored the Copps health care committee, their annual salaries and the number and nature of public meetings they have attended this calendar year? Would the minister also provide the individual expense costs for travel, accommodation and food for each of the monitors at each of the Copps committee meetings? [Tabled May 21, 1982]

Hon. Mr. Grossman: There was a ministry staff representative from the district health council program in attendance at eight of the Liberal health care committee sessions. As these individuals conducted other district health council business during the visit, it is not possible to isolate the costs which would be directly associated with the committee's sessions.

SPEECH TO CANADIAN CLUB

538. Mr. Cassidy: Would the ministry advise the House who prepared the speech delivered by the Minister of Agriculture and Food to the Canadian Club in Burlington, Ontario, on September 21, 1982? If an internal employee prepared the speech, how many hours did it take to prepare the speech and what was the salary range of the employee or employees involved? If an employee did not write the speech, who was hired to write the speech, how long did they work on it and what were they paid? [Tabled October 13, 1982]

Hon. Mr. Timbrell: Roy McGregor, a freelance writer, was commissioned to research and write a generic speech giving a global perspective on Ontario's part in world agriculture.

The material was to be first developed into a speech to support the United Nation's World Food Day effort. It was delivered by the Honourable Dennis Timbrell at the Canadian Club in Burlington and then circulated to 1,000 potential speakers as source material for speeches in support of this activity.

From the same material, a prototype speech for urban audiences aimed at developing greater urban-rural understanding and appreciation of agriculture's importance has been developed. It will be used on future urban speaking occasions.

Some 25 hours were involved in detailed research, writing and rewriting of the final product at a cost of $50 an hour.

MASSEY-FERGUSON

542. Mr. Nixon: What is the present market value of the three million series D preferred shares of Massey-Ferguson Ltd. purchased by the government for the sum of $75,809,614.73? [Tabled October 18, 1982]

Hon. Mr. Walker: A major investment house, McLeod Young Weir Ltd., was engaged by the province as consultant when the bank guarantee for Massey-Ferguson Ltd. was being negotiated. They have advised us that it would be impossible at this time to determine the present market value of the series D preferred shares of Massey-Ferguson Ltd. owned by the government of Ontario. The market cannot be assessed until the current refinancing plan is in place and the company's financial position can be clarified.

LAND USE PLANS

543. Mr. J. A. Reed: Would the Minister of Natural Resources provide the following information:

1. How many responses have been received by the Ministry of Natural Resources offices across the prov nce and by the ministry directly, regarding the review of district land use plans, the Monzon report and park policies?

2. How many of these responses supported the existing park policies and how many asked for substantive changes?

3. How many of these responses supported or opposed forestry and mining activities within provincial parks or candidate parks?

4. How many submissions have been received in support of or in opposition to a Spanish River waterway?

5. What provision will be established for public review of draft district land use plans, and for the parks system plan derived from the district plans, before their final approval?

6. Will the approved district plans be signed by the Minister of Natural Resources as an official government policy, or are they merely to be used as guidelines? [Tabled October 19, 1982]

Hon. Mr. Pope: 1, 2, 3. In early November a copy of all comments will be placed in the legislative library and will be available there for public review.

4. The Spanish River was not identified as a proposed candidate waterway park in the Monzon report or Espanola district's optional land use plans document.

5. The ministry is prepared to hold a series of open forums in Thunder Bay, Sault Ste. Marie, Timmins, Ottawa, Kingston, London and Toronto in November and December to hear further comments on the draft district land use plans or the parks system plan, if such forums are requested.

6. The district land use plans and strategies are guidelines for ministry field staff use.

QUEEN STREET MENTAL HEALTH CENTRE

544. Mr. McClellan: Would the Minister of Health advise the House how many patients at the Queen Street Mental Health Centre have wandered out of the centre without official leave during July, August and September of 1982? How many of these AWOL patients were involuntary? [Tabled October 20, 1982

Hon. Mr. Grossman:

Month	Patients AWOL	AWOL patients involuntary:
July	38	29
August	41	27
September	31	16

TOWN CENTRE AT HORNEPAYNE

545. Mr. Wildman: Would the ministry advise the House of the total cost for travel and accommodation for ministers of the crown and public servants and employees who attended the official opening of the Hallmark Town Centre in Hornepayne on Friday, October 15, 1982?

Would the minister also indicate the total number of public servants and employees who were released from their regular duties to attend the opening ceremony; the total number and total cost of commercial air tickets required to transport provincial employees to and from Hornepayne; the total number and total cost of chartered air flights used to transport provincial employees to and from Hornepayne, and the total number and total cost of chartered air flights used to transport the Premier (Mr. Davis) and the Minister of Northern Affairs (Mr. Bernier) and their staffs and other employees of the government to and from Hornepayne for the opening ceremony on October 15, 1982?

Further, would the ministry advise the House of the total number and total cost of hotel rooms rented to provide overnight accommodation in Hornepayne for provincial public servants and employees who attended the official opening and/or banquet and dance at the Hallmark centre on October 15, 1982?

Finally, would the ministry indicate the total cost of reimbursing those provincial public servants and employees who travelled to the opening ceremony by automobile rather than airplane for mileage to and from Hornepayne? [Tabled October 20, 1982]

Hon. Mr. Bernier: The total cost for travel and accommodation for provincial ministers of the crown and provincial public servants and employees who attended the official opening of the Hallmark Town Centre in Hornepayne on Friday, October 15, 1982, was $4,051.80.

One provincial public servant was released from his regular duties to attend the opening ceremony.

There was one commercial air ticket at a cost of $66 required to transport a provincial employee to Hornepayne.

Three chartered flights at a cost of $3,694 were used to transport the Premier and the Minister of Northern Affairs and their staffs and other employees of the provincial government to and from Hornepayne for the opening ceremony.

Five rooms, at a cost of $226.80, were rented to provide overnight accommodation in Hornepayne for provincial public servants and employees who attended the official opening and/or the banquet and dance at the Hallmark centre. The cost of the rooms and flights are, of course, included in the total cost mentioned above.

There were no payments made to reimburse provincial public servants and employees who travelled to the opening ceremony by automobile rather than airplane for mileage to and from Hornepayne.

BACKGROUNDS OF APPOINTEES

546. Mr. Epp: Would the Premier provide information with respect to the sex and ethnic background of Ontarians appointed to serve on all the province's agencies, boards and commissions? This information should illustrate how the total number of Ontarians appointed is allocated: (a) between male and female; and (b) among various ethnic groups. [Tabled October 20, 1982]

Hon. Mr. Davis: With the exception of appointments to the Ontario Advisory Council

on Multiculturalism and Citizenship, the ethnic background of appointees and potential appointees for provincial agencies, boards and commissions is not among the criteria for selection. Information in this respect is, therefore, not available.

While the sex of appointees and potential appointees is similarly not among selection criteria, it is apparent that as of November 1, 1982, 3,169 males and 827 females are serving on provincial agencies, boards and commissions.

WORKMEN'S COMPENSATION

547. Mr. Di Santo: In the letter of the Workmen's Compensation Board dated September 13, 1982, and directed to Mr. Prospero Salemi (claim number C8849103), it is stated, "In addition, you did not advise the Canada pension plan that you were actively seeking suitable employment." Would the minister advise whether the policies of the Workmen's Compensation Board have been changed and the disability rating is now similar to those of Canada pension plan? If not, could the minister explain why it is that the Workmen's Compensation Board never uses Canada pension plan criteria when they are in favour of the injured worker, while they use Canada pension plan to cut benefits of the injured workers? [Tabled October 20, 1982]

Hon. Mr. Ramsay: The quote from the review branch letter of September 13, 1982, gives only one of a number of reasons mentioned in the letter why Mr. Salemi's request for a temporary supplement under section 43(5) of the Workmen's Compensation Act could not be granted.

The policies of the board concerning both disability ratings under section 43(1) and temporary supplements under section 43(5) have not changed. Furthermore, the board's disability rating is not similar to that of Canada pension plan, as section 43(1) of the Workmen's Compensation Act provides that the impairment of earning capacity shall be estimated from the nature and degree of the injury.

A worker's temporary total or permanent partial disability benefits are not "cut" by reason of any provisions in the Canada pension plan. However, benefits under section 42(1)(b) and section 43(5) of the Workmen's Compensation Act are paid on the basis that the worker is available for work. In order to receive Canada pension plan benefits, the worker must acknowledge that he/she cannot work. For this reason, continuation of benefits under sections 41(1) and 43(5) of the Workmen's Compensation Act would have the effect of contravening the statutory requirements of those sections.

ACID RAIN

612. Mr. Elston: In an answer to Notice Paper question 61, dated April 7, 1982, the Minister of the Environment stated that a synthesis document of three MOE commissioned reports dealing with socioeconomic aspects of acid rain would be available by early fall 1982. Would the minister kindly table this synthesis document? [Tabled October 22, 1982]

Hon. Mr. Norton: A synthesis report of three socioeconomic studies which will illustrate and describe the methodologies developed to assess the economic implications of acidic precipitation to be developed and updated as and when the relevant scientific data are available is currently in preparation. It should be ready in December of this year and will be tabled shortly thereafter.

ONTARIO WASTE MANAGEMENT CORP.

613. Mr. Elston: Would the Minister of the Environment table a copy of the memorandum of agreement to be signed by the minister and the chairman of the Ontario Waste Management Corp. which will formalize the crown corporation status of OWMC? [Tabled October 22, 1982]

Hon. Mr. Norton: The memorandum of understanding for the Ontario Waste Management Corp. has been drafted and final discussions are now taking place to clarify outstanding items. A copy will be tabled as soon as the document is signed by the two parties.

LESLIE STREET SPIT

614. Mr. Elston: Would the Minister of Natural Resources table the memo, letter or report he has recently received concerning the relationship between MNR, MTRAC and the THC regarding present and future plans for the ownership and/or leasing arrangements for the Leslie Street spit? [Tabled October 22, 1982.

Hon. Mr. Pope: The Minister of Natural Resources has received no such memo or letter.

APPENDIX B

ALPHABETICAL LIST OF MEMBERS*

(124 members)

Second Session of the 32nd Parliament

Lieutenant Governor: Hon. J. B. Aird, OC, QC

Speaker: Hon. John M. Turner **Clerk of the House: Roderick Lewis, QC**

Allen, R. (Hamilton West NDP)
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Baetz, Hon. R. C., Minister of Tourism and Recreation (Ottawa West PC)
Barlow, W. W. (Cambridge PC)
Bennett, Hon. C. F., Minister of Municipal Affairs and Housing (Ottawa South PC)
Bernier, Hon. L., Minister of Northern Affairs (Kenora PC)
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Boudria, D. (Prescott-Russell L)
Bradley, J. J. (St. Catharines L)
Brandt, A. S. (Sarnia PC)
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Breithaupt, J. R. (Kitchener L)
Bryden, M. H. (Beaches-Woodbine NDP)
Cassidy, M. (Ottawa Centre NDP)
Charlton, B. A. (Hamilton Mountain NDP)
Conway, S. G. (Renfrew North L)
Cooke, D. S. (Windsor-Riverside NDP)
Copps, S. M. (Hamilton Centre L)
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Cunningham, E. G. (Wentworth North L)
Cureatz, S. L., Deputy Speaker and Chairman of Committees of the Whole House (Durham East PC)
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Edighoffer, H. A. (Perth L)
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
Elston, M. J. (Huron-Bruce L)
Epp, H. A. (Waterloo North L)
Eves, E. L. (Parry Sound PC)
Fish, S. A. (St. George PC)
Foulds, J. F. (Port Arthur NDP)
Gillies, P. A. (Brantford PC)
Gordon, J. K. (Sudbury PC)
Grande, T. (Oakwood NDP)
Gregory, Hon. M. E. C., Minister without Portfolio (Mississauga East PC)
Grossman, Hon. L. S., Minister of Health (St. Andrew-St. Patrick PC)
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Kolyn, A. (Lakeshore PC)
Lane, J. G. (Algoma-Manitoulin PC)
Laughren, F. (Nickel Belt NDP)
Leluk, Hon. N. G., Minister of Correctional Services (York West PC)
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McKessock, R. (Grey L)
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McNeil, R. K. (Elgin PC)

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Miller, G. I. (Haldimand-Norfolk L)
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Newman, B. (Windsor-Walkerville L)
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Philip, E. T. (Etobicoke NDP)
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Pollock, J. (Hastings-Peterborough PC)
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Wrye, W. M. (Windsor-Sandwich L)
Yakabuski, P. J. (Renfrew South PC)

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Wells, Hon. T. L., Minister of Intergovernmental Affairs
Bernier, Hon. L., Minister of Northern Affairs
Snow, Hon. J. W., Minister of Transportation and Communications
Birch, Hon. M., Provincial Secretary for Social Development
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Wiseman, Hon. D. J., Minister of Government Services
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations
Walker, Hon. G. W., Minister of Industry and Trade
Gregory, Hon. M. E. C., Minister without Portfolio
Pope, Hon. A. W., Minister of Natural Resources

Leluk, Hon. N. G., Minister of Correctional Services
Ashe, Hon. G. L., Minister of Revenue
Ramsay, Hon. R. H., Minister of Labour
McCaffrey, Hon. R. B., Minister of Citizenship and Culture
Sterling, Hon. N. W., Provincial Secretary for Justice
Taylor, Hon. G. W., Solicitor General
Eaton, Hon. R. G., Minister without Portfolio

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Mitchell, R. C. (Carleton), assistant to the Minister of Consumer and Commercial Relations
Rotenberg, D. (Wilson Heights), assistant to the Minister of Municipal Affairs and Housing
Stevenson, K. R. (Durham-York), assistant to the Minister of the Environment
Watson, A. N. (Chatham-Kent), assistant to the Minister of Community and Social Services
Williams, J. R. (Oriole), assistant to the Minister of Revenue
Yakabuski, P. J. (Renfrew South), assistant to the Minister of Natural Resources

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*The lists in this appendix, brought up to date as necessary, are published in Hansard on the first Friday of each month and in the first and last issues of each session.

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SPEAKERS IN THIS ISSUE

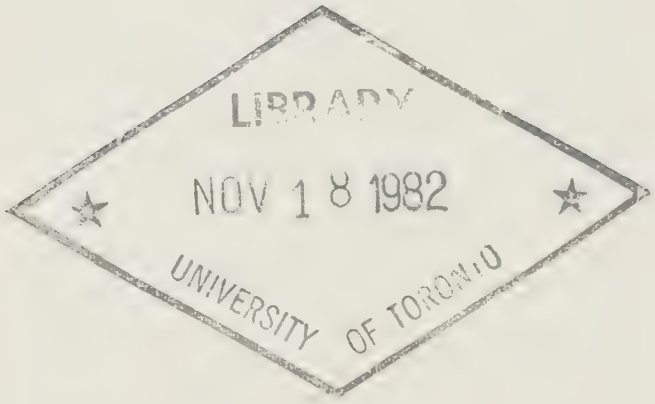
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Norton, Hon. K. C., Minister of the Environment (Kingston and the Islands PC)
Peterson, D. R. (London Centre L)
Piché, R. L. (Cochrane North PC)
Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
Reid, T. P. (Rainy River L-Lab.)
Ruprecht, T. (Parkdale L)
Swart, M. L. (Welland-Thorold NDP)
Turner, Hon. J. M., Speaker (Peterborough PC)
Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
Wrye, W. M. (Windsor-Sandwich L)

Ontario

No. 139

Legislature of Ontario Debates

Official Report (Hansard)



Second Session, Thirty-Second Parliament
Monday, November 8, 1982

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Monday, November 8, 1982

The House met at 2 p.m.

Prayers.

EXCHANGE PROGRAM

Mr. Speaker: If I may have your attention, and I know you are all consumed with curiosity, I would like to call to the attention of all honourable members that Mr. Geoffrey D. Mitchell, Clerk of the House of Assembly of the state of South Australia, is assisting at our table today.

Mr. Mitchell is attached to the Office of the Clerk of the Legislative Assembly in furtherance of the exchange program being fostered between member parliaments in the Commonwealth. Mr. Mitchell had intended to stay for the whole month of November. However, in view of the recent state election, he will find it necessary to return home in the next few days.

I ask the members to join with me in welcoming Mr. Mitchell.

STATEMENT BY THE MINISTRY

FARM PRODUCTS INCOME STABILIZATION

Hon. Mr. Timbrell: Mr. Speaker, last Thursday the provincial ministers of agriculture and representatives of major national producer organizations met in Regina, Saskatchewan, and in a single day gave overwhelming support to a national, voluntary, tripartite income stabilization plan for all farm products not covered by supply management. This agreement has the potential of covering at least two thirds of the farm products produced in this country, since one third are covered by supply management arrangements.

Now the provinces and the producers want to sit down with federal representatives to study all the possible components of such a national income stabilization plan. We are not attempting to dictate any single proposal to our federal minister, Mr. Whelan. We wish this national program to be a true, lasting and effective partnership.

We are asking Mr. Whelan and his officials to take part in a committee composed of producers and federal and provincial representatives. This committee will work towards establishing such a national program. I trust and expect that Mr. Whelan will respond to our recommendation in this spirit, for the great benefit of both producers and consumers across this land.

I would like to describe the conditions and processes that have led to this proposal. At present, Canadian farmers live in a high-risk, uncertain world of fluctuating prices for both supplies and product. Highly variable farm incomes have made it difficult in the past for farmers to conduct long-term planning. That situation has been aggravated tremendously by the current economic squeeze, and the outlook is for continuing difficult financial times.

Producers must be able to plan ahead with confidence if we are to have proper rational growth in the agricultural sector. One answer to uncertainty has been supply management, which does work to reduce instability for some commodities. However, it has been consistently rejected by some major producers, including those of beef and pork.

The federal government did establish an income stabilization program in 1958. Even with revisions in intervening years, this program is considered to be less than satisfactory by both the provinces and the producers. In view of this, the provinces have been forced into a mixture of provincial stabilization programs and ad hoc support programs. This has created a balkanization of our agricultural sector, with varying levels of support and competition between products and provinces.

In July, at a meeting of federal and provincial agriculture ministers in Halifax, I offered a proposal for a national agricultural stabilization plan. At that same meeting, Mr. Whelan indicated that he would bring forward by early fall a red meat strategy.

Last week, I co-chaired the Regina meeting with the Minister of Agriculture of Saskatchewan, the Honourable Eric Berntson. This was the first meeting at which provincial governments and national producer groups have gathered together to address our problems jointly. We decided at that meeting that the time for waiting is past. We have no indication when the red meat strategy will be available or whether

the federal government has any other plan to offer.

In Regina, we agreed that red meat should be placed under a voluntary producer plan without the supply management element. This plan also could be extended to any farm products not under supply management.

Eight provinces agreed that this plan should be funded equally, with one third from the provinces, one third from the federal government and one third from the producers themselves. The province of Quebec said this plan should be universal and should be free of charge for the producers.

A tripartite committee easily can be formed to discuss issues such as cost of production, price variations and regional differences. It is my belief that with co-operation from all three sectors, we can see implementation of this national income stabilization plan in 1983.

Frankly, I was surprised but pleased that a consensus was reached so rapidly in Regina. I sincerely hope I will be as pleasantly surprised by a rapid and positive response to this proposal from our federal government.

ORAL QUESTIONS

Mr. Peterson: Mr. Speaker, my question is to the Premier in the absence of the Attorney General (Mr. McMurtry). I want to—

Hon. Mr. Bennett: The Attorney General is outside.

Mr. Peterson: I will very happily wait until the Attorney General comes in, if you would like, Mr. Speaker.

Mr. Speaker: Perhaps the Leader of the Opposition has a question for somebody else.

Mr. Peterson: Would you like to defer to the Attorney General? If you raised your voice, I am sure he would hear you and come in.

2:10 p.m.

SALE OF RENTAL UNITS

Mr. Peterson: While we are waiting, Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations. It appears that the minister, as one of those who has watched with considerable interest the unfolding of the Cadillac Fairview-Greymac deal, is the one who has always had the least information in the circumstances.

I recall asking the minister last week about a potential early closing. On Monday, when we asked him whether he was having a meeting, he said he was trying to arrange one early that week. It turned out on Thursday that he did have the meeting that week; today we find out that meeting was last Monday, the same day we asked him the question.

Apparently at that meeting the minister did not ask Mr. Rosenberg whether there was a possibility of an early closing or, if he did, he was not forthcoming about it with us. It appears that a substantial number of those purchases transpired last Friday. Either the minister was aware of that or he was not, but on Monday, if his statement in this House is to be believed, and I assume it is, he said that he was not aware, that he had no information as to the flexibility of the closing date.

This is the same minister who did not know whether it was going to the Foreign Investment Review Agency and did not know that FIRA had looked at it a month or so before.

Is the minister aware that his calculations of an increase of $30 to $35 per month in rent for those subject properties differ very substantially with information available about the rental increases sought on some comparable buildings that were sold by Cadillac Fairview to other purchasers with comparable financing arrangements?

For example, I refer to 21 Balliol, where the rent increase request for a two-bedroom apartment is from $534 to $760, some 42.3 per cent, suggesting the minister's numbers of less than 10 per cent rental increases as a result of this purchase are substantially wrong. Looking at that information, does the minister not think that bears serious investigation?

Hon. Mr. Elgie: Mr. Speaker, first, if I may clarify an issue, I did not meet with the president of Greymac prior to question period on Monday; so I was not withholding any information. I do not think the Leader of the Opposition is suggesting I was.

I did not specifically ask the president of Greymac about the closing date. I knew the announced date had been November 16. I think the honourable member mentioned in the House that there were some murmurs it might close earlier and he volunteered that there was a possibility it might close earlier.

I suppose my point is, is that an unusual transaction? Was a transaction taking place that indicated some wrongdoing on the face of it, or some activity that would warrant the government interfering with the private right of people to sell property? I think not. I do not think the closing per se was an issue that this minister or

this government had any control over. It was strictly and solely in the hands of the parties.

With respect to the figures I gave the House last week, I said at the time that they were mere estimates based on the average rent as it had been reported to me and assuming the mortgages were distributed equally among the units. I said one would not know until the deal was closed. I acknowledged that there would be rents below and above $400.

I said if we looked at that one average case, taking the $110 million, we could anticipate an increase in rent of something in the neighbourhood of $110, acknowledging there would be things above and below that and acknowledging that I was only talking about the second mortgage and nothing else. There may be operating costs and other things; I have never said that was not so. Then I said that if the Residential Tenancy Commission were to phase in that increase over three years, as it has in the past, that could work out to something in the neighbourhood of $30 to $35.

I do not think that is suggesting this is going to be the final, end-all answer for everyone. That will depend on the rent review hearing. The member and I both know that.

I read in the paper that the Balliol apartments have apparently applied to the Residential Tenancy Commission for increases in the neighbourhood of 42 per cent. When I made an inquiry about that last week, the commission had not received that application.

The other problem, as the member well knows, is that what one asks for and what one gets often can be quite different. I recall a case, in which the member for Welland-Thorold (Mr. Swart) appeared last August, where the request was for some 60 per cent and the net result was some 12 per cent. I am not suggesting those variations would hold in this case, but from last year's statistics we know the average rent increase requested by landlords was approximately 19.5 per cent and the average amount of rent increase awarded was in the neighbourhood of 14.2 per cent.

I do not think anyone should draw any unusual conclusions from the fact that a landlord has requested a certain amount and jump from that to the point of view that this is the amount going to be awarded by the commission.

Mr. Peterson: The question that clearly comes forward is, why is the minister always the last to know? He has been running about a month behind everyone else in this matter, including street gossip, which has turned out to be factual and which, in the circumstances, is very much more with it than the information the minister has been giving us in this House.

Why did the minister not ask Mr. Rosenberg how much he would have to increase the rents to finance those purchases? Surely that is a reasonable question. What was his response, and was the minister satisfied? If he was satisfied, why did the minister say to this House that he was going to bring in a statement this week or next week with respect to the financing of the purchases of these kinds of buildings? Either the minister is concerned or he is not concerned.

Given the size of these transactions and the fact that they were closing some 11 days ahead of schedule, presumably in response to political pressure not just here but from a lot of people at city hall—a lot of the minister's friends at city hall—surely there is enough information to warrant a thorough investigation, if not by the minister then by members of this House, to satisfy ourselves that we are all protecting those tenants as best we can in the circumstances? Does the minister not agree that he is not protecting those tenants?

Hon. Mr. Elgie: There were a couple of issues raised in the Leader of the Opposition's question. The first is, am I concerned about the predicament the tenants find themselves in when they face a rent increase? Certainly I am concerned. We are all concerned about the increased costs a variety of people face in the community: home owners, employers, employees, everyone. But to suggest that this minister, since he became minister in February 1982, has not shown concern about tenants is to me a rather incredible statement.

Let us look at what has happened in the past year. When I became minister of this ministry, there were several particular and pressing issues facing this ministry with respect to rent control. The first was whether the guideline should be raised above six per cent. I know that members of the Liberal Party and the other party suggested a year and a half ago that it should be raised. But I also know that their present policy, as enunciated by the member for St. Catharines (Mr. Bradley) and others, is that the guideline should stay the same. I reviewed that issue, and the guideline has stayed the same.

Second, another issue confronting me was that of conflict of interest when commissioners retired or resigned and accepted positions in which they acted for landlords before the Residential Tenancy Commission. I dealt with that; I set up conflict of interest rules for them.

I was faced with an underfunded Residential Tenancy Commission in view of the massive increase in applications that were taking place. I had an interim increase for that organization in May, and a $2.5-million increase was awarded last October.

As some of the Ottawa members will know quite well, we were faced with a situation in Ottawa as well as in other areas—the member for Ottawa East (Mr. Roy) will know this—where it was being proposed that rental accommodation be converted into privately owned, capital-share buildings; this, in my view, was being done to get around what otherwise was the public policy of the Minister of Municipal Affairs and Housing (Mr. Bennett) with respect to condominium legislation. I dealt with that.

If that is the act of somebody who is inflexible and not concerned about the rights of tenants, then I do not know where my friend is sleeping these days, but he is not sleeping where the action is.

Interjections.

Mr. Speaker: Order.

2:20 p.m.

Mr. Renwick: Mr. Speaker, surely the minister must now understand how absolutely hopeless a position an individual tenant or any group of tenants of one of the Cadillac Fairview properties is placed in when trying to deal adequately before the commission with a transaction of this complexity and trying to protect himself against the kind of exorbitant rent increases that the minister is trying to indicate to us are quite reasonable in the circumstances.

Given the minister's record of concern for tenants, which he has just enunciated to us, what is he going to do to protect individual tenants or any group of tenants from a particular rent increase in any one of the many properties of Cadillac Fairview?

Hon. Mr. Elgie: Mr. Speaker, as I have said quite clearly, I do not think there is any issue that I or this government sees as more urgent than the issue of reviewing matters related to rent review.

As the honourable member and I well know, that process has been changed by statute on two or three occasions, the last change being in 1979, and it was deemed by others to be a very satisfactory piece of legislation. Indeed, our brothers in Manitoba—I forget the name of the party that is in government now in Manitoba—have recently set an eight per cent guideline that allows cost pass-throughs similar to the sort of process we have here. So the process we have set up is one that others have tried to emulate and, therefore, it cannot be totally wrong.

But clearly there are particular situations facing tenants these days and, as I said last Thursday, particularly the possibility of a quick resale or turnover of properties; I will be discussing that and other issues when I make some remarks and comments later this week or early next week.

Mr. Peterson: The minister himself is the one who raised the spectre of a quick flip in these Greymac purchases. He raised that in his own statement; so now we possibly face the prospect of going through this again.

It is obvious, is it not, that we have a huge potential problem here as well as in other cases because of the circumstances of rolling over these buildings and the tenant-financed purchases?

Is it not obvious to the minister that he has been so far behind in this matter that he has not even chosen to be forthcoming with this House? I refer him to the question of last Monday, when he said he might meet that week, and he obviously met last Monday afternoon; but when we contacted his office on Tuesday, Wednesday and Thursday, his staff misled our staff when we inquired as to the meeting. They said it had not taken place at that point.

Does he not feel it is reasonable that he should live up to the reputation he used to have as a back-bencher involved in caring about justice and fairness in these matters and that he should have an inquiry by this House into this matter?

Surely it is significant enough on its own and in the way it bears on the general legislation to warrant having the minister and us look at it to make sure as best we can that we protect people from these kind of situations, which are going to result in far higher rent increases than he has suggested to this House.

Hon. Mr. Elgie: I well recall my days as a back-bencher, and I like to think that ever since those days I have displayed an interest in equity and fairness wherever I have been and in whatever I have done. On those occasions, I may say quite frankly, it has not always been an easy task to pursue some of those issues.

Again let me make it very clear, as I indicated in my statement, that I am particularly concerned at this time that the rent review legislation in place, which allows for the phasing in of financing charges, may indeed have to be something we address ourselves to, and I will be

making some comments on that later this week or early next week.

METROPOLITAN TORONTO POLICE PRACTICES

Mr. Peterson: Mr. Speaker, I have a question for the Premier with respect to the Proverbs matter. The Premier is aware that—

Hon. Mr. Davis: Just a second.

Mr. Speaker: Order.

Hon. Mr. Davis: Mr. Speaker, I will be delighted to answer the question except that I am not sure I can. The Attorney General (Mr. McMurtry) is getting the most up-to-date information on it on the phone. I am quite prepared to entertain the question if the honourable member likes, or the minister will be here very shortly.

Mr. Peterson: Mr. Speaker, it is with respect to his conduct in the whole matter, and I would like to ask the Premier about it.

The Premier will recall that the Attorney General said in reply to the first question about the Proverbs matter, "The allegations by Mr. Proverbs are totally without substance." Within hours of the story hitting the newsstands, of course, I gather the Attorney General changed his mind and called a press conference to announce an Ontario Provincial Police investigation into the whole affair. Furthermore, the Attorney General indicated that he was profoundly distressed by the alleged activities of the two police officers in question.

Last week, the Attorney General was reported to have referred to Mr. Proverbs as a "known con man," and this, of course, was while the trial was going on. The Premier also will be aware that a motion for mistrial was brought as a result of that comment but was dismissed this morning.

Does the Premier approve of this kind of behaviour by the chief law officer of the crown?

Hon. Mr. Davis: Mr. Speaker, the Attorney General may want to answer some of the specifics, but if the Leader of the Opposition is asking whether I approve of the behaviour, knowing the connotation with which he uses that word—which I think is regrettable but which perhaps is an indication of the route he is going these days—I would say that I have total confidence in the integrity and the ability of the Attorney General of this province.

Mr. Peterson: Is the Premier aware that the presiding judge this morning referred to the Attorney General's comment about Mr. Proverbs as "an unfortunate statement"? Is it the expectation of the Premier that the Attorney General of this province is to make unfortunate statements that probably could prejudice criminal trials?

Hon. Mr. Davis: I would only say to the Leader of the Opposition that if all of us were to be held to account for unfortunate statements, and if that were to reflect upon our capacity to discharge whatever responsibilities we have been asked to assume, the Leader of the Opposition would have departed these halls years ago.

Mr. Peterson: I gather the Premier now is trying to justify making unfortunate statements, which admittedly all of us make. Does he feel the chief law officer of the crown has the right to make unfortunate statements with respect to criminal trials, particularly those that may prejudice the outcome of those trials, and involve himself in furthering the litigation process and himself becoming an issue in the court proceedings, in view of the sensitivity that his ministry and his office have expressed with respect to the erosion and decline of faith in our public institutions which deal with crime, referring to his own briefing notes to the first ministers' conference?

Does the Premier not feel that these unfortunate statements contribute to that kind of feeling and that he has an obligation to have a conversation with the chief law officer of the crown to make sure that he does not do this kind of thing in the future?

Hon. Mr. Davis: I have far more confidence in the Attorney General of this province making the right kind or a limited number of unfortunate statements than the members of the Leader of the Opposition's caucus will ever have in him, no matter how long he may sit there as Leader of the Opposition, which in my view will be three years until the member for Hamilton West (Ms. Copps) or someone else has a run at it.

CANADIAN GENERAL ELECTRIC

Mr. Martel: Mr. Speaker, I have a question of the Minister of Labour regarding Canadian General Electric at 221 Dufferin Street, Toronto.

Is the minister aware that out of a work force of 50 employees, the union has identified that 24 of the women there have some form of cancer? Is he further aware that the union brought this matter to the attention of the company doctor, one Dr. Jack Richman, at a health and safety meeting in January 1981, and that to the union's knowledge the good doctor has not as yet bothered to advise the Ministry of Labour?

Can the minister explain why the ministry does not require a company to report this type of shocking situation so that it can be investigated and corrected forthwith?

Hon. Mr. Ramsay: Mr. Speaker, I agree with the honourable member that these things should be brought to our attention, and I suggest that the members of the occupational health and safety committee can bring those to our attention, just as the member brings things to our attention almost each and every day, which we follow up on with great rapidity and attempt to resolve just as quickly and as resolutely as possible.

2:30 p.m.

Mr. Martel: Is the minister aware that Dr. Richman is the same Dr. Richman who in 1979 advised the Canadian Society of Safety Engineering how companies could get around the Workmen's Compensation Board, counselling them to falsify and make vague the reports to be sent to the Workmen's Compensation Board? Is the minister further aware that Dr. Richman, well over a year after the workers had reported this situation, contacted the director of the McMaster occupational health program and left his own deliberately vague report rendering it useless, as can be seen in the response by Dr. Muir?

Dr. Muir says to Dr. Richman: "I have problems with your paper. I am not sure how many people are under study, how long they have worked there, whether your expected cancer rates applied to cancer deaths or to cancer incidents; nor am I clear whether your index cases include deaths or simply statements of previous cancer diseases." Does it not sound as though he has given Dr. Muir almost the same type of report he suggested employers submit to the Workmen's Compensation Board?

Hon. Mr. Ramsay: I am not aware of Dr. Richman or his background. However, I am aware of one factor. This summer I asked the honourable member opposite if he would come in bringing the number of people he wished with him, and we would go over all the outstanding occupational health and safety issues.

We did that. We had a very productive meeting. Also this summer, I asked the representative, Mr. Lambert, of the occupational health and safety committee of the Canadian Union of Public Employees, if he would come in and we would go over all the outstanding issues they had with respect to occupational health and safety. We had a very productive meeting.

I should put on record that we have made some administrative changes and are now in a position to act more quickly than we were before on any matter that is brought to our attention. The key point I want to make is I welcome the fact these things are brought to our attention so we can take prompt action; and we do take prompt action on them.

Mr. Martel: Does the minister not realize we are just like the little boy who keeps putting his finger in the dyke to block off the problem? Aside from that, realizing the anxiety of the remaining work force, and the workers are predominantly women in this one sector, will the minister send his staff in immediately to deal with the union, because I do not think Dr. Richman is worth while dealing with, to determine what is causing the problems and move to improve the situation immediately on behalf of those workers?

Hon. Mr. Ramsay: I finished saying just a few moments ago that it has been our policy to deal with these things as soon as they are brought to our attention. Certainly we will be happy to do so in this case as requested by the honourable member.

RENT GEARED TO INCOME CALCULATION

Mr. Martel: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing. The minister will be aware of the Court of Appeal decision last June in the case of Mrs. Valeda Timmins. The minister will recall that on several occasions in 1980 I raised the matter about her compensation payment and the rate of rent she paid in an Ontario Housing Corp. unit. The minister must be aware of the court's decision since it was sent to him directly by the legal aid clinic in Sudbury; although it has not been forwarded by OHC.

The courts have now held that WCB pension payments cannot be classified as income for the purposes of calculating rents in OHC accommodation, and the Sudbury Housing Authority did not appeal the decision of the Court of Appeal so that the judgement stands and cannot be tested in the courts again. Will the minister now order immediate rent reductions for those tenants whose rents have been calculated by reference to WCB pensions? Will he also order the housing authorities to ensure that all tenants receive reimbursement for the higher rents they paid because pensions were calculated as income?

Hon. Mr. Bennett: Mr. Speaker, I must admit

to this House that I am not aware of the court ruling at this point, and I shall take the opportunity over the next day or so to review with my staff and, in turn, with the federal government the way the wording of the judgement has been brought down. If it says, as the member indicates, that pensions are not to be calculated within the income rate for rent geared to income, obviously we will take that action to make sure things are corrected.

I want to indicate to this House that until I have had an opportunity to review it along with the legal counsel for the ministry and the government, I do not intend to pronounce any kind of decision publicly.

Mr. Martel: I am surprised someone has not sent the minister this, because the decision was on June 24.

Has the minister not been advised that the Sudbury Housing Authority is going to be taken to court next Monday because of their action of recovering $4,000 from a Mr. and Mrs. Quesnel for back payment of a pension? Would it not be wise for him and his staff to look into it before this occurs? It would maybe prevent the necessity for the matter to go to court if these people were reimbursed, with interest, the $4,000 that is being sued for on their behalf for this illegal collection of payment.

Hon. Mr. Bennett: I have indicated, Mr. Speaker, that I am prepared to review the court action and the decision of the judge; but to make any further pronouncement at this time, I think, would be trying to prejudge a situation without knowing the full wording. Indeed, one does not always take the wording to be of a general nature rather than of a specific nature relating to the case. So I shall take the opportunity before I make any pronouncement, as I have already said—

Mr. R. F. Johnston: You might also ask your staff where they have been since June 24.

Hon. Mr. Bennett: I beg your pardon?

Mr. Speaker: Never mind the interjections, please.

Hon. Mr. Bennett: Mr. Speaker, whether my staff have had it since October 24 I am not quite sure at this point, and I would not want to put the responsibility on the staff of knowing or not knowing. But I will take the opportunity—I do not know how much clearer I can make it—to apprise myself of the situation along with the legal counsel of the ministry and the government in order to try to determine exactly what the judge was saying in relation to this case; and if it does have some relation to others who have been paying rent geared to income predicated on their workmen's compensation benefits and if we have an obligation to rebate, we will do so. But I will not make that a public position until I have had the opportunity to review it.

Mr. Martel: My supplementary has two parts. First, has the minister not received the letters submitted to him on October 29 by Mr. Leitch?

Second—and I almost know what the answer will be, but I just want to ask the minister—if he finds that what I have stated is correct, is he going to ask the OHC to research its files for those clients who have left in order to determine if they are not entitled to reimbursement for having had charges against them for something that is not really considered income?

Hon. Mr. Bennett: With regard to the letter of October 29, if it is like most items coming through the royal mail, I suppose I should receive it in another week or 10 days. Indeed, that is only a matter of—

Mr. Martel: I got mine.

Hon. Mr. Bennett: Well, the member might have got his directly from Sudbury; I am not quite sure. I happen to be in Toronto, and I would think the period of time—you know, the 30 cents is for postage and storage. I am not quite sure where the letter might have been detained between now and the time it came out of Sudbury to Toronto.

But with only eight or nine days having elapsed since that particular postmark, according to the member for Sudbury East, I shall take the opportunity of finding out whether it has been in dead storage at the federal government or whether it has found its way into the wrong pile within the provincial government. I have no way of knowing exactly where it might have wound up, but I assure the member I will take that opportunity.

In relation to the second part of the question, which related to others across this great province of Ontario, which has some 90,000-odd public housing units supported by this government and 130,000 in the rent supplement plus ownership, we shall take under advisement exactly how we will try to analyse the previous calculations of incomes relating to rent to see whether it is within the capabilities of the ministry and the Ontario Housing Corp., its computer system and so on, to go back and do an analysis as to where their incomes happen to come from.

If it is within our powers to do so and if it is the

advice of the legal counsel and so on that we should be looking at reimbursement, we will do our best. If not, then we will make a public appeal in some way, shape or form to have people indicate to us they have been tenants of OHC and see what we can do to readjust the rents at that time.

2:40 p.m.

I want to emphasize that it is a matter that I will have to handle with the federal minister. I trust the members in this House will realize that decisions made by us also have to have the concurrence of the federal government since they are a 50 per cent partner in paying the shortfall in the cost of running public housing.

Whatever decisions are made, I trust this House will realize that there are other communications, understanding and a change of agreement, because under the agreements we have with the federal government at present, pensions are an included portion of income, very clearly enunciated and spelled out under our agreement with the federal government and the Canada Mortgage and Housing Corp. So whatever decisions we make, we will have to have some concurrence in it by the federal government that we in the province do not pick up 100 per cent of the cost of reducing that income by the amount of the pension, whether it be welfare, or workmen's compensation, or if others are challenged at some point or other, that particular pension as well.

ONTARIO SCIENCE CENTRE ADMISSION FEES

Mr. T. P. Reid: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations (Mr. Elgie) relating to the increases in fees at the Ontario Science Centre. I presume the minister is aware that the science centre is increasing the price of admission for children from $2 to $3 from the ages of 13 to 17 and for children under that age, from 50 cents to $1. I am sure—even without his computer and with the Greymac figures buzzing around in his head—he can figure out that those are increases of 50 per cent and 100 per cent on children who he is already taxing for their Big Macs and their puppy dogs.

In light of Bill 179, how does the minister justify this kind of increase at this time? Does he not feel that it is incumbent upon him to roll back this increase, even though it was agreed to before, to fall within the guidelines of Bill 179?

Hon. Mr. Elgie: I am sure the Minister of Citizenship and Culture (Mr. McCaffrey) could outline the response to that in greater detail than I can, but as I understand it the decision to raise the fees at the Ontario Science Centre was made and was gazetted some months ago and it is being implemented now. That is not to say it is a matter that we will not look at to see whether our cabinet committee should look at it with a view to revising it or recommending revision. In any event, I refer that question to my colleague for further elaboration.

Mr. T. P. Reid: Does the Minister of Citizenship and Culture want to comment before I ask a supplementary?

Hon. Mr. McCaffrey: Mr. Speaker, the fee increase goes way back. There is a long history to it. It is important to bear in mind that—

Mr. Martel: So do wages and contracts. They go way back.

Hon. Mr. McCaffrey: No, my friend is missing a fundamental point. The taxpayers of Ontario have paid for the science centre. The science centre is one of the many institutions in this province that has a world-class reputation. More people saw the China show than had seen any other exhibit in this province; revenues more than doubled. There is not a young man or young lady in Ontario who does not, with zeal, spend $4 or $4.50 to go to some space cadet movie, when for good value they can spend a full day at the science centre.

Mr. T. P. Reid: Listening to the answers coming from over there, I feel as though I am at some kind of old-time revival meeting, but let us deal with the realities.

Mr. Speaker: Now for the supplementary.

Mr. T. P. Reid: Thank you, Mr. Speaker; I thought I would get into the act.

Mr. Speaker, the government is restricting people's salaries; it has done away with contracts; it has nine and five per cent guidelines; the thrust of its policy was to do something about prices; and the very people who are going to be affected by this are young people, a lot of whose parents are going to be out walking the streets. Given these facts, how can the minister justify 50 per cent and 100 per cent increases in light of his government's announced policy of price restraint? It is as simple as that.

Hon. Mr. McCaffrey: Very briefly, I say again, there is a long and important history to getting the admission fees of these important institutions in line. I am not just talking about

the spring of 1982; it goes way back, quite properly, through 1981.

For the duration of the China show, there was an increase in admission for children from 50 cents to $1.25. As of November 1, children's admission for a full day to the science centre has been reduced to $1.

Mr. Cassidy: Mr. Speaker, my supplementary is to the Minister of Consumer and Commercial Relations, as he is the designated minister under Bill 179. Is it the minister's intention to refer this matter to the Inflation Restraint Board because the price increase does not, or may not, conform with the criteria? Or is he going to demonstrate with this particular increase, which amounts to $3, or $4 to $7, for a family going into the science centre, that he is simply not going to stand up for price control when any administrative body of the province raises its prices? Is he going to stand up for price control or not?

Hon. Mr. Elgie: Mr. Speaker, I do not have any problems standing up to control prices in this province in whatever way we can.

Mr. Breithaupt: Here is one. What about this one?

Hon. Mr. Elgie: This is nothing new; we have been through this many times. The members over there would like the world to stop, but we have to control what is within our domain to try to control. I know for those members the world is simple: "Let's just shut off the lights for a week and go home." Maybe that is not a bad idea. Would the member like to move a motion that we shut off the lights and go home for the week?

Certainly we will be asking the minister to discuss this price increase with us, but as I have said and as he has said, it was a decision that was made some time ago. Whether or not it is, therefore, beyond the scope of the legislation, will be a matter we will have to decide.

TANKER TRUCK ACCIDENT

Mr. Swart: Mr. Speaker, I have a question to the Minister of Transportation and Communications (Mr. Snow). I presume the minister will be aware that a truck tanker owned by the Lease And Go company upset and spilled its load on the Queen Elizabeth Way at Jordan Harbour at 5 a.m. this morning and that, as a result, the Queen Elizabeth Way was closed for seven hours. Will he tell this House the circumstances surrounding that upset and spill? Specifically, what was the product spilled by that tanker? It was a product that was so flammable, or so explosive, that photographers were prohibited from using their flash bulbs to take pictures.

Hon. Mr. Snow: Mr. Speaker, I have some limited and preliminary details with regard to that accident, which I understand took place at 5:10 this morning. I am told that the product in the truck was naphtha gas. I do not have an official report, but the preliminary report says that a truck carrying naphtha gas jack-knifed and overturned in the median.

The Ontario Provincial Police, the local fire department and the Ministry of the Environment people were at the scene. I understand the material was contained in the median and it was being pumped out and transferred to another vehicle. The QEW was closed for some time in both directions for safety's sake.

The truck, I understand, was bound from Texaco Canada Inc. to the border crossing on the way to Buffalo. From the information I have, luckily there were no injuries. As soon as possible, the truck will be towed to our Ministry of Transportation and Communications compound in Hamilton for complete inspection.

Mr. Swart: I have here four pictures of that tanker which I took this morning before it was towed away. In due course I will send these pictures to the minister. When he gets them, will he note that, apart from the word "flammable" in small letters, nowhere on the exterior of that tanker is there any indication of what the cargo was? Does he know that four hours after the accident, and after the owner was called in Toronto, firemen and other officials were still not sure exactly what was in that tanker, although they were told it was hexane, not naphtha gas?

When is the minister going to require all trucks travelling on Ontario highways to clearly designate in large letters the common name of any toxic, flammable or radioactive materials being transported by such tank trucks?

2:50 p.m.

Hon. Mr. Snow: Mr. Speaker, I am sure the honourable member knows very darned well when that is going to happen. Our legislation is passed. We are all ready. We have been waiting. We have had meetings.

Mr. Swart: Waiting for what?

Hon. Mr. Snow: We have been waiting for the federal government regulations to be proclaimed.

Until the federal government's Transportation of Dangerous Goods Act regulations are finally published the provinces will not be able to implement their dangerous goods legislation on the highways. It cannot be done.

Mr. Bradley: Mr. Speaker, is the minister indicating to the House at the present time that his legislation cannot, under any circumstances, be implemented until the federal regulations have been published? If that is the case, when was the most recent meeting that he or his officials had with the federal authorities to urge them to take action to avoid the kind of situation that occurred this morning, which could have been a catastrophe but which, very fortunately, was not?

Hon. Mr. Snow: Mr. Speaker, we have discussed it many times. It is necessary that the regulations be universal, that there be common regulations across Canada because many of these products travel across our provincial boundaries and we cannot have each province attempting to create regulations.

These regulations are immense documents covering hundreds of products.

I sympathize, certainly, with the federal minister. He has given us a number of promised dates of when the regulations will be ready. I believe it was in June or July that the regulations were gazetted for the first time. They have a double-barrelled process: they publish the regulations, then they wait for 90 days, or some period of time, to get public comment on those regs. It is not until the regs are published for the second time that they become final. I believe we are somewhere between the two publications at this time.

At the meeting that we had in Halifax in the late part of September or early October, this was a topic of the minister's discussions with Mr. Pepin.

The member asked when the last meeting was. I cannot tell him that. The staff are meeting with them; they are meeting on a day-to-day basis dealing with details of these regulations. Industry is dealing with the matter as well.

In fact, Mr. Pepin spoke at a recent meeting here in Toronto of the Toronto Transportation Club, I believe it was. He had one of his experts—I forget the gentleman's name—there to answer questions at that particular time and to explain why the regulations were taking longer than we had anticipated. But for each province to try to develop new regulations—first, it would not be wise to have provincial regulations and, second, it would be a mammoth job to start from today, a year ago, or whenever to create those regulations.

The federal government has been working on it, I am sure, for over five years. It has been working at it for almost the whole time that I have been minister and it may be since before that we have been awaiting these regulations.

CLOSURE OF FACILITIES FOR THE MENTALLY RETARDED

Mr. Boudria: Mr. Speaker, I have a question of the Provincial Secretary for Social Development (Mrs. Birch) in the absence of the Minister of Community and Social Services (Mr. Drea), with regard to the recently announced closing of six of the provincial institutions for the mentally retarded. Does the minister know of the resolution passed at the most recent meeting of the St. Thomas and Elgin Association for the Mentally Retarded stating, in part, the following:

"Whereas Mr. Drea has produced a five-year plan without the participation of interested and affected groups, including parents, local and Ontario associations for the mentally retarded, the St. Thomas and Elgin Association for the Mentally Retarded resolves to oppose this plan until the proper consultation and clarification takes place."

Is the minister aware of the petition signed by 3,054 persons from the St. Thomas area opposing this closure? If so, would the minister then tell this House how this government can work to prepare Ontario communities for these much-needed group homes if it runs roughshod over all the local people involved by failing to consult them in these proceedings?

Hon. Mrs. Birch: Mr. Speaker, the member for Elgin (Mr. McNeil) has made the Minister of Community and Social Services very much aware of the concerns of his constituents in that area and they are continuing to discuss the issue.

With regard to the comments about not consulting, I do not believe this to be true. I am aware of the fact that a great deal of consultation has gone on with the Ontario Association for the Mentally Retarded, with different groups that are related to specific facilities and that they are in agreement with the direction this government is taking in making sure those who are in institutions and have no reason to remain there are given an opportunity to live their lives in their own communities.

Mr. Boudria: I hope the member for Elgin has a supplementary on that last response.

Almost 200 mentally retarded adults are at present on waiting lists trying to get into group homes in the areas affected by the six closures, not to mention the 338 waiting in Metro Toronto. Therefore, will the minister now guarantee this House that the institutions will not be closed

until services are in place so the people can join the community, supported by the residential and training programs required?

Hon. Mrs. Birch: I can give the assurance of this government that no one will be removed from an institution until there are alternative community residences in place.

Mr. R. F. Johnston: Mr. Speaker, how can the minister expect us to believe that the proper framework and network of services will be brought in for these people when for the last five years she has underspent her community projects allocation by $18 million? Every year, she is at least $3 million under what she has allocated for those people who are already out in the community. Why should we believe it will be any different when she closes down these institutions?

Hon. Mrs. Birch: Mr. Speaker, the negative responses of the opposition continue to make it very difficult for us to encourage municipalities and indeed provide for those residents within their community. If they would be a little more helpful and positive about group homes—

Mr. Martel: We will help you spend the money.

Mr. R. F. Johnston: How can we help you spend the money?

Hon. Mrs. Birch: Where were they when the meetings were held? I do not see any members of the opposition coming forward to support us in trying to find homes for these people in their communities. Perhaps if they spent less time complaining here in the House and did something in their own communities to see that we get homes, their time might be better spent.

Mr. McClellan: If they would change the Planning Act that would solve the problem.

Mr. Speaker: Order.

QUEEN STREET MENTAL HEALTH CENTRE

Mr. McClellan: Mr. Speaker, I have a question for the Minister of Health (Mr. Grossman). The minister will recall, last spring we were raising a concern about the number of involuntary psychiatric patients who were escaping, if I may use that verb, from provincial psychiatric hospitals.

Is the minister not aware that the Mental Health Act of 1978 defines an involuntary psychiatric patient as somebody who requires the custody of a psychiatric facility because otherwise he would be likely to cause serious bodily harm to himself or to another person or to cause imminent and serious physical impairment of the person?

Can the minister explain how it is possible that in May 1982, 30 involuntary patients wandered out of the Queen Street Mental Health Centre; in June, there were 36; in July, 29; in August, 27; and in September, the most recent month for which statistics are available, 16 involuntary patients were AWOL?

Can the minister explain how this continues to happen? What action does he intend to take to ensure that his responsibilities under the Mental Health Act are fulfilled?

3 p.m.

Hon. Mr. Grossman: Mr. Speaker, as I am sure the member is aware, those figures are down substantially from last year. With the exception of one month this year, either May or June, I think he will find those figures are down about 50 per cent over same months in the previous year. This indicates that the program put in place by Dr. Malcolmson and Mr. O'Keefe at Queen Street with the co-operation of staff is working to solve this problem.

If we go to the pure, old custodial method of incarcerating people there and putting in very extreme and extraordinary kinds of protective mechanisms, we will always have that kind of problem. I am sure the member would not advocate we take those kinds of steps. Security has been appreciably and visibly tightened up and it is obviously working.

We should also recall that one hopes and believes the proper categorization has been made in the hospitals in the system so that the kind of involuntary patients who are able to leave Queen Street in spite of the new security are not the most difficult or dangerous people in the system. That appears borne out in the sense that there have not been any dramatic incidents caused by these people who are temporarily leaving Queen Street.

This is not to say the numbers are satisfactory. It is only to say the trend is right, the procedures being taken are correct and this is a problem which is inherent in treating these kinds of cases, if we want them treated in the atmosphere and climate we have at Queen Street.

Mr. McClellan: I am not sure I understood the minister's answer. Is he saying that all or some of the 138 involuntary patients who left the hospital without official leave, or without anybody knowing they had wandered out of

Queen Street, were absent from Queen Street with the knowledge and permission of somebody on the staff? Is he saying there is some way for the staff to know whether any or all of those 138 patients were not properly involuntary patients, that is to say, by definition under the statute, people who without custody are likely to cause serious bodily harm to their person or to another person? Just exactly what is the minister talking about?

Does he not understand he is in default of his obligations under this act by permitting 138 involuntary patients to wander out at their peril and at the peril of the community? To continue to permit anarchy and chaos at the Queen Street Mental Health Centre is an entirely different thing from the open-door policy applying to voluntary patients. When is he going to take some kind of action to ensure that those patients who are at risk are guaranteed safe custody and asylum?

Hon. Mr. Grossman: Let it be made clear that there is no anarchy and chaos at Queen Street.

Mr. McClellan: What do you call this—138 patients wandering out? This is not success.

Hon. Mr. Grossman: With respect, for the member and his party to suggest there is chaos and anarchy at Queen Street one year after the implementation of the working committee towards successful implementation of the Peat Marwick report is a little hypocritical.

The member has objected to the Peat Marwick report and its implementation, but the plain fact is the implementation of that report, together with the new people we have brought in and the working committee, has succeeded in reducing, by about half, the numbers the member is complaining about today. The very point he is making indicates the weakness of the arguments he has been making for the past year that we should not implement the Peat Marwick report.

It proves the argument he puts forth that there is anarchy and chaos cannot be sustained by the facts, because the facts are that the place is much better run now than it was a year ago. The problem he is identifying today is much less serious than it was a year ago. In fairness, I think he ought to acknowledge right off the top that there is no anarchy and chaos there and the peoole who work there will tell him that. Maybe one or two of his friends, such as the former member for Parkdale, want to tell him something different but he really should—

Mr. McClellan: Never mind the cheap shots. I am just taking your own statistics. You know better than that.

Hon. Mr. Grossman: I think it is important for the system, for the people living in the area and for the people working at Queen Street, who by and large are very dedicated people, that suggestions that there is anarchy and chaos should not be loosely or callously made. This does not do justice to anyone in the system. If the member wants to make the allegation that the current numbers are still too high, even though they are dramatically less than they used to be, then I say even one is too many.

I think, too, when we look at the kind of open-door concept that the member himself has advocated at that particular setting and the problems in treating the involuntary patients in a larger institution in the same kind of setting as voluntary patients, one must understand it is not that easy to control the situation.

Queen Street does have a very good handle now on who is going where. There are people posted at every exit so that they know who is leaving. They can pick up a phone and get the proper people down to handle the situation.

Mr. McClellan: What do they do, count them as they go by?

Hon. Mr. Grossman: If the member is saying people sometimes still escape that sort of security mechanism, I say yes, but the numbers are declining. The problem is not entirely solved but it is much better now than it was a year ago, before we started to implement many of the things which the member opposed.

Mr. Ruprecht: Mr. Speaker, the minister seems to be indicating that at least half of those patients who are absent without leave are still finding themselves outside the hospital and he thinks that is a tremendous improvement. The minister seems to have two extreme positions. First, he thinks we should lock them up and not permit anybody to escape. Second, he suggests simply to open up the doors and have either very few security guards or security guards who cannot handle the situation.

The point made by my friend the member for Bellwoods is that the numbers still exceed those which have been established by the minister's own guidelines. The minister says that one person escaping is too many. We would like to ask him when he will put a stop to it, and why are there no adequate security measures?

Hon. Mr. Grossman: Mr. Speaker, I will take the liberty of forwarding a copy of Hansard to the member for Parkdale because I know upon

careful reading of it he will find out that I did not advocate either of those two ridiculous extremes.

Mr. Ruprecht: You said it.

Hon. Mr. Grossman: I did not. I did not say it. The member should read Hansard and if I indicated either of those extremes he can stand up tomorrow afternoon and (a) ask me to withdraw what I have just said, or (b) if I advocated either of those, I will buy a member of his party of my choice a dinner.

Mr. T. P. Reid: No one over here would take it.

Hon. Mr. Grossman: I bet they would. I know some of them.

Mr. T. P. Reid: I will take it.

Hon. Mr. Grossman: Since you have shaved, I will take you.

The member for Parkdale asked what steps are being taken. If he would take a moment to study the Peat Marwick report, if he in fact wants to show some sincere interest in this for his constituents, he should go down to Queen Street and speak to Dr. Malcolmson and Mr. O'Keefe.

He will find rather extraordinary measures are being taken. There are very dedicated people sitting at each and every exit all day long to make sure they have a tab on the people. There are people in the wards watching people, and emergency mechanisms set up to find these people. Many of these things were not there a year ago. If the member really wants all of that information, he should go down to Queen Street and he will find it out. It is right in place, he can see it. It is working.

CLOSURE OF FACILITIES FOR THE MENTALLY RETARDED

Mr. R. F. Johnston: On a point of order, Mr. Speaker: I rise to correct the record, if I might. In asking a question of the Provincial Secretary for Social Development (Mrs. Birch) I indicated that the government had failed to spend $18 million in funds. I made an error, and I would like to correct that.

In the last five years the government has failed to spend $18 million, it is true, for one portion of its community services, but it has also failed to spend an extra $10 million. I was $10 million under. It was actually $28 million in community services that was budgeted for but not spent in the last five years.

3:10 p.m.

INTRODUCTION OF BILLS

ONTARIO BIBLE COLLEGE AND ONTARIO THEOLOGICAL SEMINARY ACT

Mr. Williams moved, seconded by Mr. McNeil, first reading of Bill Pr45, An Act respecting Ontario Bible College and Ontario Theological Seminary.

Motion agreed to.

TOWNSHIP OF TINY ACT

Mr. McLean moved, seconded by Mr. Pollock, first reading of Bill Pr41, An Act respecting the Township of Tiny.

Motion agreed to.

TORONTO BAPTIST SEMINARY ACT

Ms. Fish moved, seconded by Mr. Cousens, first reading of Bill Pr44, An Act respecting the Toronto Baptist Seminary.

Motion agreed to.

COMMISSIONERS OF ESTATE BILLS

Mr. Speaker: Before calling the orders of the day, I beg to inform the House that the Clerk has received from the commissioners of estate bills their favourable report on Bill Pr28, An Act respecting the City of Chatham.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, before the orders of the day I would like to table the answers to questions 176, 615 and 649, and the interim answers to questions 549-589, 591, 592-611, 616 and 617-643 standing on the notice paper [see Hansard for Tuesday, November 9].

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, MANAGEMENT BOARD OF CABINET (concluded)

On vote 401, ministry administration program:

Mr. Nixon: Mr. Chairman, I would not want this occasion to go by without bringing to the attention of the Chairman of Management Board (Mr. McCague) one more time my objection to the government policy of providing cars not only for cabinet ministers but for all the deputies and a wide variety of other hangers-on of this administration.

As I am driving my Citation out the Gardiner

Expressway and out the Queen Elizabeth Way, I often see the double-green Chrysler cavalcade of the Premier (Mr. Davis) either coming or going and, frankly, I have no objection to that. After all, he has to get to all parts around the province, he has to have suitable support and he has to have some protection as well; no problem with that.

I am sure the Chairman of Management Board of Cabinet is aware that the Leader of the Opposition (Mr. Peterson) and the leader of the third party have special responsibilities to travel long distances across this province, and they run up 100,000 kilometres in about a year in doing their duties, but I cannot see why it should be just a part of the basic emolument for the job of a cabinet minister, or even a deputy minister, to have a car provided.

My colleague the member for Prescott-Russell (Mr. Boudria) asked a question a few months ago in which the description of the cars for the cabinet and their costs were listed. It is already substantially out of date, but the costs of the automobiles alone approaches $500,000 and this is just for the cabinet. They have to have drivers, which costs in excess of $500,000 a year.

The Minister of Agriculture and Food (Mr. Timbrell), as a part of his responsibilities, has to get out around the province. He has to get to the ploughing match and the Flue-Cured Tobacco Growers' Marketing Board annual meeting and so on. There is no reason why we should expect him to travel at anything other than public expense.

But for cabinet ministers and others who are simply driving in and out from their homes, I cannot see why their salaries are not enough for them to buy a car like anybody else, buy a tank of gas every now and then, and provide themselves with transportation.

This thing seems to go in cycles. Every now and then the people get fed up with the way governments spend money. If you want to criticize the way they spend it in Ottawa you are not going to get too much of an argument from me, because governments as a whole, municipal as well, are spending too much money on providing elaborate personal transportation for members of various councils and members of cabinets, deputy ministers and so on.

I see the members of council floating around in their municipal limousines and as a taxpayer I find it a little hard to take. I will tell you that. Having a pool of cars that are called upon for specific trips is quite permissible and certainly the way to do it. But if we need to provide a car for the chief government whip, the member for Mississauga East (Mr. Gregory), I think it is a waste of money. I like the guy. I happen to know that he could probably buy a nice car and he could drive in from Highway 10.

I come by there every morning, and if he could get down to the corner I will undertake to pick him up and have him in here by nine o'clock. Going home, I am not so sure I would be quite that reliable. If he needs transportation to do his duty, we can get him a skateboard to go down the hall to report to the government House leader, because really he has no other responsibilities than to act as whip of the government members.

There are others in the same boat. I just want to register my objection, once again, and to warn the Chairman of Management Board that it is simply growing larger and larger. More and more people feel it their duty to have a limousine—dark blue, and the Buick Electra is the favoured one—and a driver. Nobody gets a Cadillac, at least you have restricted yourselves from that since you are not buying your own cars, and it is just like having a plush carpet on the floor.

I am not going to spend the minister's time or yours, Mr. Chairman, objecting to the posh offices that are renovated every time there is a cabinet change. I am tired of doing that. It makes us all look a little small, if you can imagine. Even those things have a tendency to run away, as internal politics and arguments over turf occupy all the time and energy of your senior public servants, rather than trying to do a good job for the people they serve and who pay them very well.

I would like to see the Chairman of Management Board come up with a program that is going to cut back on this. He should provide the cars and the proper transportation for the people who need it, who as part of their job have to get all over this province. But for the rest of you, why do you not have a car pool for public business and the rest of the time use your money to buy a car for yourselves? I do not think it would hurt you, and as a matter of fact the people would like it.

Mr. Ruston: Jack will auction them off for you free.

3:20 p.m.

The Deputy Chairman: The chairman is having difficulty speaking with these interjections.

Mr. Ruston: He needs a lot of help over there.

The Deputy Chairman: You do not need help and neither does he.

Hon. Mr. McCague: I appreciate the comments the member has made and I know that will make great fodder for the Brantford Expositor.

Mr. Nixon: Don't bother with that. I might send it to the Orangeville Bugle.

Hon. Mr. McCague: That is fine, but it is either the Banner or the Citizen if you send it there.

The policy is set down. I do not think any great thought has been given to changing that policy. The member knows what each minister is entitled to and it will not be any different if it ever does change.

Mr. Nixon: That will take a change of government. I will come back from my grave to change it.

Hon. Mr. McCague: It might have changed if the member had kept the leadership a little longer, but now that things have deteriorated there is no chance of that happening.

The policy is set down. The policy has changed as it applies to deputies over the years. I thank the member for his comments. While there might be the odd exception of some office renovations, over the past few years the exceptions have been few.

Mr. Nixon: So the minister will not be under any misapprehension about how much this costs, the list that was provided goes back to June 11, 1982. I will not read it all; I will just read selections because it goes on and on:

A 1982 Oldsmobile 98 Regency, $19,567.09; a 1982 Mercury Marquis Brougham, $15,824.23; a 1982 Mercury Grand Marquis, $16,237.78; a 1982 Mercury Cougar, propane, $12,015, and that is driven by the Minister of Transportation and Communications (Mr. Snow). At least he is showing a little leadership over there with a moderately priced car and doing a little experimentation using propane.

Then we get into the Chryslers. This is the Premier's bunch: a 1982 Chrysler New Yorker Fifth Avenue, $17,464.54, and a 1982 Buick Electra Park Avenue, price not available at time of study.

It goes on and on. This short list which just covers the cabinet adds up to just under half a million dollars. There is only one Chevy there, a 1978 Chevrolet Caprice, $8,697.05. I would really like to find out who is driving that, but I do not suppose it is the chief government whip; no way, no, no. He is shaking his head, Mr. Chairman; I thought I should tell you. The information is there.

We should really ask another question which the Chairman of Management Board will object to because we should not be using up valuable time in Order Paper questions. We should be asking about all the deputies and their cars. One sees them all over the place now with some little wizened-up person sunk in the cushions in the back of the car with a double aerial on the back and a nice little light over his shoulder. He is reading the stock market page or something like that.

This has really got to be the end. We really have to cut back. If there is anything like restraint, and something that is seen to be restraint, that is where the minister can start. These birds, these people are well paid. They have all the travel, and they have an assistant with an American Express credit card to pick up the tabs for them as they go lunching around town. I really am sick of that stuff and I think the Chairman of Management Board ought to provide the leadership at least to begin the cutback.

Hon. Mr. McCague: The member reads off a list. As I recall, I have a 1981 car. I think that cost less than $12,000. He mentions a Chevrolet somebody has; I think that was the Minister of Agriculture and Food. I am not positive about that.

As far as the deputies are concerned, they have cars, but they do not have drivers, as I think the honourable—

Mr. Nixon: They drive themselves? What is the point of getting a free car?

Hon. Mr. McCague: They have a car; that is part of their agreement of employment. They do have a car, for which they pay a monthly rental in case they use it on their own. I do not think what the member is referring to can be construed as being extravagant. It is much less than would be the case if they were working for someone else, and I think they are entitled to some of that.

Mr. Stokes: Mr. Chairman, could I ask a supplementary to that? I would like to know whether or not the list the member for Brant-Oxford-Norfolk referred to includes the member for Middlesex (Mr. Eaton), who is a Minister without Portfolio. It has never been made quite clear to us what his responsibilities are; and since the Chairman of Management Board is obviously the one who is answering the questions, what does he do that would justify the use of a car running around the province, if in fact he has one?

Hon. Mr. McCague: Mr. Chairman, I suggest the honourable member can ask the minister

what he does. It is not my responsibility to answer for him.

Mr. Cassidy: Mr. Chairman, of course, it is pretty tough to ask the Minister without Portfolio, because, having no responsibilities, he has no estimates.

If there were more time, I would like to talk about some of the rather curious aspects of government spending. But given that only 40 minutes are left in these estimates, I would like to raise some matters that I think are important with respect to any form of accountability in the Legislature for the work of the government as a whole.

Mr. Boudria: On a point of order, Mr. Chairman: I have indicated to you on two occasions that I had a supplementary on this. Perhaps you did not see me, but I notice you are going on to a different topic now.

The Deputy Chairman: I was not listening to the question.

Mr. Cassidy: If it is a short supplementary I will yield, but I have some points I want to raise on another topic.

The Deputy Chairman: All right. We have 49 minutes left on this.

Mr. Boudria: I will be very brief, Mr. Chairman, and I thank you and the member for Ottawa Centre for allowing me to ask this supplementary. Again it is in relation to the cars. I had put the question on the Order Paper last year; I am sure the government will recall it. Altogether there were 41 cars, 31 for the executive council and cabinet and 10 others.

My supplementary specifically regards those 10 other cars. The member for Niagara Falls (Mr. Kerrio) is not in his seat, but he could witness what I am going to say now. Last Friday morning at quarter to six there was an emergency false alarm at the Sutton Place Hotel, and all the patrons were thrown out on to the pavement. While we were standing there on the pavement at a quarter to six in the morning, a limousine picked up one of the parliamentary assistants to take him to the airport. Presumably that driver must have been up half the night. He had to get that car, drive over to Sutton Place at a quarter to six in the morning, pick up that certain parliamentary assistant, take him to the airport and then go back home.

Now, if he started to work at four o'clock in the morning to take a parliamentary assistant to the airport with one of those vehicles—"OND" was on the plate, and it took a parliamentary assistant to the airport; the member for Niagara Falls was with me on the sidewalk at a quarter to six in the morning witnessing this; I do not know how long the driver had been there waiting for him—I cannot see that as being a very responsible way to dispense the privilege of using government vehicles when you can get a ride to the airport, as the minister and I both know, for something like $16 or $17 by taxicab. To pay somebody three or four hours of overtime or whatever was required is surely a lot more expensive than that.

I am just wondering if that is a common use of those vehicles; and if it is, I would suggest that perhaps the minister could do with many fewer cars than he does now.

Hon. Mr. McCague: Mr. Chairman, there are a few cars, a car pool, over at the garage, which ministers, parliamentary assistants or deputy ministers can use and, if they qualify, the cost is charged by MTC to the ministry. If the honourable member has any further questions on that, they should be addressed to the Minister of Transportation and Communications.

3:30 p.m.

Mr. Boudria: In reading the preamble to all these estimates the other day, I noticed the minister mentioned the approaches he will take to get good management within government ministries. Surely he must acknowledge that is not an example of good management or good handling of this kind of situation.

I would like to know whether the minister is willing to undertake to consult his cabinet colleagues to ensure that the vehicles which are supposed to be used for members of the executive council are not dispatched in the middle of night to take parliamentary assistants to the airport at God knows what cost to the taxpayers of this province. I would like to know whether he is willing to give us the commitment that he will discuss this with his cabinet colleagues.

Hon. Mr. McCague: I have a driver, who does not get any overtime whether he starts at five in the morning or whether he goes until 2 a.m. the next day. I am not sure to what the member is attributing the extra cost.

Mr. Cassidy: Mr. Chairman, I want to raise some questions with the minister about accountability. It is a general matter I want to raise which is simply that this Legislature does not have the tools to enforce any form of accountability with respect to spending estimates, not only of this ministry but also of the government in general. Since Management Board is responsible for overseeing spending by the various

government departments, it seems appropriate to me to raise it with this minister.

What is happening, from what I can gather, is that there is a wider and wider gulf between the internal controls that are being used, the information being distributed internally within governments in terms of spending controls and the information that is available to the Legislature.

I have talked with people in government about the estimates and have asked, "What use are they really?" They say, "It is a useful exercise to go through, and it is nice that people are aware from time to time that they work within particular votes and budgets, but basically it is something just to be gotten around." It is not, as I understand it, any kind of tool for control internally; it does other things.

The book they began to publish a few years ago, the so-called revised form of the estimates, is totally empty as to details about where the money goes or what it is being spent on. Most of the detail is given under vague and general titles such as "compensation staffing, management policy, programs and estimates," and where it is broken down further, it is broken down according to standard subjects such as salaries, benefits, transportation, services, supplies and equipment.

In other words, with this information we have nothing with which to work. If anybody in the press, the public or the academic community wants to find out how government is spending our money today, he has to go elsewhere because the relevant information is simply not provided.

When I came into the House today, I did not even bother to bring the loose-leaf binder provided by the minister to explain the estimates of Management Board. The reason, of course, is that that binder does not add very much to elucidate what is in the main form of the estimates.

We are not told results in terms of the standards that are set within the ministries. Does the minister measure the number of contacts with clients or the number of people who are being provided social assistance? Does he measure the number of diplomatic contacts the Minister of Industry and Trade (Mr. Walker) has? Does he measure different programs given under the Ministry of Municipal Affairs and Housing and, if so, what are those programs and how much was given out under each one? Does he measure the number of houses that are built under the programs of the Ministry of Municipal Affairs and Housing? The kind of concrete information that people can understand and relate to what they think governments should be doing is simply not provided in any way at all.

I appeal to the minister and strongly suggest that if he and his staff are at a loss to know what should be done, what new form should be required for estimates, he should refer the matter—or ask the government to refer the matter if he says his ministry itself cannot do it—to the standing committee on procedural affairs or a select or ad hoc committee of this Legislature.

I also suggest to the minister that particular weight be given in this matter to the representatives of the opposition parties because, quite apart from the number of votes we represent, the opposition is given the role of scrutinizing the work of government, if it can get any information.

The commitment to freedom of information in this government has been questionable. I am suggesting that, if only for the protection of the integrity of government itself, it is important that there be more accountability and more understanding about where the money is going and how it is spent.

What is happening now is that various opposition critics have taken to filing questions in the Legislature about matters about which they are particularly concerned. We focus on advertising on cars, we focus on patronage and International Monetary Fund receptions. We get upset, and we should do, when the government pays $50,000 to James Martin for a two-day seminar. I read his book yesterday. I got it for free from the legislative library, and I do not think it was worth much more than that.

We get upset at those things because they are the things that bubble up to the surface. But where are we getting value for money and where are we not, in terms of the work of different government ministries? It is extremely difficult to know, because there are simply no adequate measures of performance.

We do not even have measures as to the number of people who work in particular areas. You are reduced to doing such things as looking in the telephone book to see how many people seem to be working in a particular section and then looking at what seems to be coming out of that section.

As to the workings of a ministry, some ministries do not even issue annual reports. Many annual reports are not keyed in any way

to the estimates which, ostensibly, are the means of control.

The minister knows perfectly well that financial control by legislatures and parliaments is, in general, not very effective in any legislature or in any parliament. We are talking, in large measure, about control or scrutiny of policy.

I gather the minister also has come to the realization that if he has only seven hours of estimates, he can stonewall, smile and say nothing for a while, and in the end the ordeal is over and he can rest content for another year. That is an abuse in itself, and it is an abuse which the minister's colleagues share in as well.

With a limited number of hours in estimates, it is certainly the case that if ministers choose to stonewall, we can be in difficulty. But it seems to me, apart from everything else, that ministers have an interest in having a better-informed Legislature that can do the job, can look into difficulties and can raise issues before they get to be too complicated or before they allow themselves to fall in too deeply, but we cannot do that now with the information that is provided.

I want to focus on an area which I think is particularly important, and that is the question of the accountability of crown corporations in the Ontario setting. The plain answer is that the accountability of crown corporations, as far as the Legislature is concerned, is virtually nil.

The one exception was the select committee on Ontario Hydro affairs. The committee did a superb job with their research resources, which were limited but which were used extremely well. They did exercise accountability over Hydro. That does not mean Hydro was made to do many things that perhaps it should have been made to do.

It is unfortunate that some of the fundamental questions about Hydro's demand forecasts were never ultimately hammered out on that committee because of all the various other assignments that it was given but, none the less, Hydro had to produce documents, its officials had to appear before the committee, they had to be grilled, they had to be questioned and they had to make presentations about what they were doing.

3:40 p.m.

As the minister knows, after its initial reluctance, Hydro itself came to recognize that there was value in that process and in having an informed group of MPPs in the Legislature who knew what Hydro was doing rather than having to rely on the grace and favour of the minister and the Premier.

The point I want to make is that this is too rare. The fact is that, apart from Hydro, there has not been any effective accountability on crown corporations in this province over the course of the past 10 or 15 years. There have been some referrals to committees under the provision of the standing orders that allows the referral of an annual report, but the government has taken to blocking and stonewalling those inquiries when they take place, if they take place at all.

The ministers have some informal powers to direct crown corporations but we in this Legislature, who ostensibly create those crown corporations, are not privy to whatever is happening behind the scenes.

If I may quote an expert on the subject:

"Ministers are now expected to draft a memorandum of understanding which sets out the objectives of each crown corporation and how it relates to government. These memorandums are published in sessional papers by the Legislature. In three years, however, only a few have been prepared. Despite these initiatives, the fundamental questions of crown corporations' accountability to the government and to ministers are not yet solved in Ontario, and that inevitably makes accountability to the Legislature more difficult."

The expert in this case is myself. I refer the minister to an article I wrote in the Parliamentarian a few months ago on this question, which is a very serious one and which has not been resolved anywhere else either. The Saskatchewan Legislature, under the New Democratic Party, probably came closer to it than any other legislature in the country. Perhaps British Columbia was moving in the right direction over the past two or three years.

We do not have the tools, the information or the equipment to act in this Legislature to enforce any form of accountability as far as crown corporations are concerned. Those crown corporations are major enterprises. In some cases, such as the Urban Transportation Development Corp., there are some very substantial questions that people are asking.

It seems to me that it is very much in the public interest to know whether we are buying a pig in a poke with UTDC and simply subsidizing their continued existence because the Premier wants to have that plaque as Transit Man of the Year stay on the wall in his office in this building, or whether the UTDC is on the right track as the minister alleges from time to time. We do not know. The Legislature is the proper

forum and the proper vehicle to find out the answer to that kind of question.

Perhaps the minister will recognize that at this point I am talking not just for the purpose of these estimates but also with respect to any kind of continuing role for this Legislature. I feel strongly that the Legislature should have a role in terms of being able to exercise some kind of parliamentary oversight over government spending. I feel that this Legislature, like most others in the parliamentary system, has lost most of that function. A large part of the reason has been the action of various governments in power which have chosen not to be prepared to share any of their responsibilities with the opposition in terms of oversight of spending. In the long run, that undermines the parliamentary system and that means it undermines us all.

I am making this case now in the hope that the minister will take it seriously and will be prepared to take up the matter with his officials and perhaps with some experts on parliamentary procedures, parliamentary law and the system which the government may chose to consult from time to time. It is a very serious matter and one that lies at the heart of the malaise with the parliamentary system which we find in this country, not just in Parliament but also in the provincial legislatures.

I want to elaborate on that in a very specific way with a third point. As the minister is well aware, and we discussed this a bit the other day, more and more information used within government now is computerized. There are now data banks available within government departments that provide a tremendous range of information that is used almost on a day-to-day basis by planners, by policymakers, by deputy ministers and, one has to assume, by those few ministers who are capable of actually getting their thumbs around a computer terminal. If they do not do it directly, then they certainly benefit from the information being called up for them indirectly.

Up until now the legislative library and the Legislature itself have stayed quite firmly back in the first half of the 20th century, if not somewhere in the 19th century, with respect to these changes in technology and what they are doing for information availability within the Ontario government.

The day will come—it is certainly now being contemplated in Parliament—when there will be a computer terminal that will provide a tremendous range of information for every member of the Legislature. That is now being planned in Parliament. I note that in France, for example, and in the United States, legislative, congressional and Senate debates are now computerized and virtually on-line so you can simply go and look into what is happening there at any time if you have access to a terminal.

It is probably too soon for us to move that far, but it is interesting that the Hansard index, I suspect, is now maintained on an ongoing basis in a computer file rather than in written form and only turned into hard copy before it is published at the end of every year.

Has the government considered the implications of this computerization with respect to any vestigial responsibility it senses it has to account to the Legislature for what it does? Are they now prepared to undertake immediately to make available to the legislative library and to the MPPs all the computerized information that is used on a current and widespread basis within government? That would include such things as the updated information on government spending in different ministries, because I am sure that is on line and I suspect they have a means of checking every week or every month how individual ministries are doing, where the money is going, how it is being spent and what is projected for spending in those particular areas.

That kind of financial control information, it seems to me, should properly be accessible to the Legislature, to researchers for the various political parties, quite possibly to the public at large and to the press. There is a great deal of other information like this that I believe also should be available if we are to do our jobs here in the Legislature and if anybody out there is to have any belief left that this place is relevant in exercising the traditional parliamentary function of control over the spending by the crown.

I will be interested in the minister's reaction to the proposals I have put forward, not in a partisan sense but very much in a sense of grave concern about the future of this institution.

Hon. Mr. McCague: Mr. Chairman, I think the member for Ottawa Centre has just finished making a speech about the way he would operate things if he ever got a chance.

He made a series of suggestions, some of which have some validity. However, he talks about freedom of information, which he knows is the responsibility of the Provincial Secretary for Justice (Mr. Sterling).

He talks about crown corporations with virtually no accountability. He knows and he has seen, or has had the opportunity to see, the memoran-

dum of understanding that exists between each ministry and crown corporations.

He refers to the study that was done by the select committee on Ontario Hydro affairs. I am well aware of that; it was a good exercise.

The member knows that the annual reports, which cover quite a few, if not all, of these crown corporations, can be referred to a standing committee of the House and on occasion are. I do not think he has any great, valid criticism in that particular area.

He did admit that he was talking about the continuing role of the Legislature, and I understand the points he is trying to make.

3:50 p.m.

As for computerization of all the data the member would like to have and the fact that it might be available in the library at some time, that is a decision each ministry will have to make on its own. The Ministry of Treasury and Economics, of course, has a financial information system. I do not suppose the government is going to make the decision that this would be available to everybody in the library on a weekly, bi-weekly or monthly basis.

Just to have access to information often can be misleading if one does not have any of the background that goes with it. I do not think the members opposite really want a continual explanation of this which would have to accompany any financial information system someone might plug in on a computer.

While I understand the comments the member is making, I think he was just saying how he would operate if he had a chance to do it. I do not think many of the things he mentioned are going to be implemented.

Mr. Cassidy: The minister's attitude, to put it this way, is that Father George knows best. We have a province with a budget that before long will hit $20 billion a year. The minister is running a ministry which he maintains is sophisticated and uses modern management techniques. The government has 60,000 civil servants working on its behalf, a number of whom are in the business of assisting to ensure that management is carried out, they hope, with a lot of efficiency. All that is taking place as far as the government side is concerned.

However, if one looks at what is happening in terms of the ability of the Legislature to supervise or to know what is happening and to exercise any kind of parliamentary control—and that is fundamental, or it used to be fundamental in our system from the days of Magna Carta on—there has not been any essential change over the course of the 12 years I have been around this place or, for that matter, probably little change since the days when I used to come into this chamber as a student parliamentarian when I was studying at the University of Toronto back in the 1950s before big government really got under way in Ontario.

I have to ask myself, if the techniques used by government to manage its affairs and its money, and to maintain information systems and that kind of thing, have changed as dramatically as they have in that period of 20 years, why does the minister maintain nothing should change at all in terms of this place's ability to monitor what is happening?

The minister is well aware that, as things stand now, when an annual report is referred to a committee—if annual reports exist, and often they do not—the committee has no expertise apart from whatever expertise and time individual members may have to examine or dig into those accounts or reports, with the almost lone exception of the select committee on Ontario Hydro affairs.

The Conservative majority has resisted the use of researchers or paid staff by the committees to carry on work on behalf of and under the direction of members of the Legislature. The only committee that is an exception to that is the standing committee on public accounts but it is always working historically, looking back rather than looking forward. I think it is important that we in this Legislature look forward as well.

Finally the minister says, "Even if you got the information, you would not be able to understand it without a tremendous amount of background information which we are not prepared to give and you would not understand it anyway." Is that not a bit presumptuous? Does the minister really think people over on the opposition benches are stupid? Is that what the minister is trying to suggest? It seems to me that, quite apart from everything else, in democratic theory this Legislature is meant to be supreme.

We are the people who are elected to this place to carry on the people's business and to exercise stewardship in terms of where the public funds are being spent, but it is pretty damned tough to exercise that stewardship when the amount of information we are provided with is carefully rationed and manicured and massaged to ensure that it provides as little information as is conceivably possible.

Could the minister perhaps not enter into the subject a bit more seriously than he did? Does

he think there is a problem in the Legislature in terms of its ability to oversee the spending of government right now and, if so, does he have any suggestions in terms of how this might be improved?

Hon. Mr. McCague: In no way did I indicate that the opposition or the member was stupid. I just said that he was asking for a financial information system and that, without an explanation, it would be hard to understand and could be misconstrued.

I want to correct the record. The member referred to our $20-billion budget; it is actually $22.777 billion this year. He referred to 60,000 public servants; the actual number, at March 31, was 81,826.

I do not deny that the members opposite are entitled to information. There is information included in every ministry's budget estimates. Everyone has a certain period before the committee or in this House when there is the freedom to ask questions. The end result is published in Public Accounts. The quarterly information is published by the Treasurer (Mr. F. S. Miller).

I think the member, if he chooses to do so, has adequate information on which to assess the performance of government. If he is not happy with that, he can ask questions or put questions on the Order Paper.

I think that without a freedom of information bill, there is a lot of freedom of information and information the member can obtain.

Mr. Cassidy: Basically the only way of obtaining meaningful information is to put questions down on the Order Paper, and if one is lucky he might be able to get some.

In terms of consistently putting information before the public—it is not just for us here, but also for those we represent or are the surrogates for—the ministries do next to nothing. They do not say in published reports how many people they have served, how much it costs per client, etc. A lot of that information can gradually be dug out by going in deeper.

It has been my experience, going back to the days when I was a private member a few years ago, that if I had been a journalist trying to get a lot of that information, sometimes it would be available.

Walking in as a member of the Legislature and as a member of the New Democratic Party caucus, the word goes out among all of those nonpartisan civil servants, from the very top, that the enemy is here at the gates. They surround you with brass. God knows how much money was spent on me every time I made a visit to a ministry to make sure I would do no harm. It is a bit like the white corpuscles coming to attack an enemy agent when someone has a wound in his skin.

You find assistant deputy ministers, aides, executive assistants, branch directors, division directors and all the rest of them ostensibly there to ensure that the fullest, frankest and freest information will be provided. In fact, they are all there to watch each other to make sure that nothing of any significance will be revealed.

Mr. R. F. Johnston: That would have to be before Bob Carman came on.

Mr. Cassidy: Now, with the number of public relations flacks who have been hired from the press gallery to serve the various ministries, I regret to say that the situation has got worse.

I go back to what I was saying before. I will ask questions of the minister, and I will go to his ministry and request a briefing in terms of all the information that is available within his ministry and to his ministry on-line, because I believe that as that form of information increasingly replaces what is in libraries and what is published in other forms, to deprive this Legislature of it is simply to write in stone an attitude that his government has generally had to this Legislature, which is, "Keep them in the dark and let them have as little information as is conceivably possible."

4 p.m.

Mr. R. F. Johnston: It will mushroom, of course.

Mr. Cassidy: That is right.

The other day, I read that in the Union of Soviet Socialist Republics all of the publishing of newspapers is done from Moscow; that the USSR has the most elaborate technological system of newspaper printing and distribution in the world; that it can move newspapers from Moscow all across the continent; and that there are no local television or radio stations, that all broadcasting is done from the Kremlin.

In a sense what the minister is saying amounts to the same thing. You want to control the flow of information. You have it in your heads that the control of information means power. There is a fair amount of truth to that, but I suggest that in a democracy, rather than saying, "Well, Sterling has a bit of this and another minister has a bit of that" and so on, you, as the minister responsible for management in the government, now should be laying down edicts to all of the departments in order to ensure openness, in

order to ensure information, in order to ensure that the Legislature can continue to carry on its functions in a way that is appropriate to this part of the 20th century.

That is the kind of leadership I would love to see from you, rather than you just treating the opposition like mushrooms.

The Deputy Speaker: Thank you. The member for Huron-Middlesex (Mr. Riddell).

Mr. Cassidy: Mr. Speaker, the minister has to reply.

Hon. Mr. McCague: Mr. Chairman, the honourable member at least admits that when he asks for information from our ministry, he is well treated. I think he is accusing them all of treating him too well.

Mr. Cassidy: A bit too well, yes.

Hon. Mr. McCague: However, the member is well aware of our management by results, at least of the system—

Mr. Cassidy: How can I be? Do they ever see the results?

Hon. Mr. McCague: Oh, yes. Have you? I am not sure whether you have, but I certainly have seen the MBR the ministries use when they are doing their own budget estimating. We see them when we are considering their budget at Management Board—

Hon. Miss Stephenson: I should say.

Hon. Mr. McCague: Pardon?

Hon. Miss Stephenson: I said, "I should say."

Hon. Mr. McCague: As the member knows, we have not made those public knowledge. However, he can tell when programs are successful and when they are not; he has his own ideas on those. We are, as he knows, upgrading the MBR system to give us better information and better results, but I do not think it is this government's intention to make those public at this time.

Mr. Cassidy: A final question to the minister, Mr. Chairman: You have objectives, you set them down, you quantify them and then you seek to measure them to see whether the results measure up to what you sought to have at the beginning of the year. If we do not know what those specific and quantified objectives are, and we do not, and if we do not know to what extent those objectives are met, could the minister explain how he thinks this Legislature can participate in ensuring that government money—that is, the taxpayers' money; it is not yours, Mr. Minister—has been well spent?

Hon. Mr. McCague: The member knows it is up to each ministry to make public any results of its particular programs and that is often brought about by members in the House or in estimates. It may not be under the heading of MBR at that particular time, but it is results gained for resources expended. That question can be asked of any minister at any time during his or her estimates or in question period in the House.

Mr. Cassidy: Is the minister prepared to give us for his ministry, Management Board, the specific objectives for each of the different departments, divisions, whatever sections are used, and the results that were achieved for the last fiscal year in order that we can have an idea of how he achieved his goals last year; and also to have an idea of what specific goals you have set for yourselves in the coming year, which is this year, the estimates we are debating right now?

Hon. Mr. McCague: Yes, Mr. Chairman, I would be willing to give the honourable member a report of our goals and objectives and of the accomplishments of Management Board.

Mr. Cassidy: Mr. Chairman, since the time for these estimates is just about up, does the minister intend, then, to communicate that to me in writing in a couple of days? That is what I would like to see. Then I would like him to follow that up, if it is a useful document, by getting his colleagues to do the same thing and make it a matter of practice.

Hon. Mr. McCague: Mr. Chairman, the answer to that question is no. I said I would give the honourable member the information, and I will do so. I am not going to give him a letter or something he can wave in the House to persuade all my colleagues to do the same if they do not wish to do so.

Mr. Cassidy: Mr. Chairman, how exactly does the minister intend to communicate that information to me? Is he going to go through every section of the estimates in the next five minutes? How does he intend to communicate it, not just to me but also to the members of the Legislature generally, except if he provides the documents in writing?

Hon. Mr. McCague: Mr. Chairman, as far as the Management Board is concerned, we have the document, and I said I would be willing to give the honourable member a copy of it.

Mr. Riddell: Mr. Chairman, pursuing the request made by the member for Ottawa Centre, I would like to know what cutbacks the minister is expecting within his own ministry in

keeping with the restraint program. This minister sits in cabinet, I trust, and he endorses the restraint program of the government; and as the minister who is probably more responsible for the civil service than any other minister, I trust he endorses the restraint program as it affects the public service.

He has had questions raised to him about the wasteful expenditure of money on limousines. My follow-up to that would be: How much money is actually spent in the use of government credit cards? Could the minister provide me with that information?

Can he justify the continued expenditure on limousines for members who really do not have very much travel other than getting themselves from their homes to the Legislature and back? How can he justify the money that is spent on credit cards and, at the same time, try to explain to the people the reason that he is reducing the number of centres for the developmentally handicapped?

I met with parents over the weekend; I am getting letters of all kinds, and they fail to understand, first, why the government chooses to fight inflation on the backs of the public service and, second, why it appears to be endeavouring to fight inflation on the backs of those people who cannot help themselves.

The Minister of Community and Social Services (Mr. Drea) maintains that he will save $23 million by closing six centres for the developmentally handicapped. Within this ministry alone, could not the Chairman of Management Board cut back $23 million on wasteful expenditures on such things as limousines for ministers and parliamentary assistants? And who knows who else makes use of these limousines? Maybe deputy ministers, for that matter; I do not know. I just do not understand. If we are a caring government, if we are a government that is prepared to put human beings ahead of such things as limousines for ministers and parliamentary assistants, then I do not know why we do not opt for the human beings.

To my way of thinking, the closing of these centres for the developmentally handicapped is tantamount to treating them as livestock, where one loads the people up and takes them here, there and all over, away from the environment they have been used to.

4:10 p.m.

I am talking now about the Bluewater Centre in Goderich. I wish you could come with me some time and see that institution, see what it is doing for the developmentally handicapped. It is a community all its own. The people are with their own peer groups. They become familiar with those who are working with them to try to give a better meaning to their lives. Yet to save $23 million, we are prepared to close these institutions and send those untrainable, mentally retarded people God knows where.

I do not think the minister knows where he is going to send them. I do not think it is fair. It is very callous on the part of this government to go in and close an institution and say: "Okay, we are going to send you people out into a community setting. You others cannot go out into a community setting so we will simply load you up and take you somewhere in eastern Ontario or in northern Ontario, away from the parents, friends and people who have been working with you."

If only you could see some of these developmentally handicapped people and go and visit their homes. The parents will take them home. They will not be home long before they say, "We want to go back home," and "back home" to them is the Bluewater Centre in Goderich.

In order to save $23 million, the Minister of Community and Social Services is prepared to close those centres and treat those people as less than human beings. It reminds me of loading livestock into a truck and the minister, being a farmer, knows what I am talking about. The closest similarity I can find is it is loading them up like livestock and taking them to the nearest community sale, wherever that may be.

I do not think it is right to fight inflation on the backs of those people who cannot help themselves. I sincerely hope that if you have any influence at all with your cabinet colleagues as the Chairman of Management Board, you will ask your colleague the Minister of Community and Social Services to give this serious consideration. It is wrong to be putting these people out of their own community centres. These are the centres for the developmentally handicapped.

Ministers would surely be prepared to sacrifice their cars, their use of credit cards and prevent whatever wasteful expenditure of money there may be in order to act as caring human beings, realizing that the mentally retarded are people just like us. It just happens they are not quite as privileged as we are, but they are still human beings. They still need those centres in which to carry out their functions. From the bottom of my heart, I think it is wrong to be depriving those people of their homes, simply because this government wants to save $23 million.

I believe in restraint, but I do not believe we should implement a restraint program which will be to the detriment of the mentally retarded people here in Ontario. I say this in all sincerity: I hope you talk to your colleague and talk him out of this ill-conceived notion that these people must go into a community setting and away from an institutional type of life. I am not saying this just on my own accord. I am telling you of the information I am getting. There is a very small percentage of these people in the institutions who could actually go into a community setting and adjust and have the kind of lifestyle they have now.

The Bluewater Centre has all the kinds of recreational facilities there are in the world. It has a swimming pool. It has built a nice place on Lake Huron for them to go back to enjoy. It has just spent $85,000 on an addition to the barn so it can keep more livestock. All of this provides a more meaningful life to the developmentally handicapped. Yet this is the kind of institution, probably one of the best facilities we have for mentally retarded people, that we are going to close down and then send these people into a community centre or God knows where, knowing full well that they are not going to have the same privileges as at present.

I ask from the bottom of my heart for the minister to talk his colleague out of closing down institutions like the Bluewater Centre. Surely we can save $23 million by getting rid of some of the limousines, not by depriving mentally retarded people of their homes.

The Deputy Chairman: According to standing order 46(d) I am required to put all questions necessary to carry every vote and item of the estimates.

Shall vote 401 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Vote 401 agreed to.

Votes 402 to 405, inclusive, agreed to.

The Deputy Chairman: This completes consideration of the estimates of the Management Board of Cabinet.

ESTIMATES, MINISTRY OF INTERGOVERNMENTAL AFFAIRS

Hon. Mr. Wells: Mr. Chairman, it is a pleasure for me to lead off the discussion of our ministry's estimates this year. It is a very special pleasure for reasons that are partly personal and partly arising out of the deeply felt sense of accomplishment which I believe and hope is shared by all members of this House.

It has been a very eventful year since our last estimates debate was carried on in committee about one year ago. If I may be allowed a personal note, I will express, as I believe I have done at one other time in this House, a sincere gratitude to members for their empathy and encouragement during my hospital visit this last year and subsequent recuperation during the spring and summer. I am thankful that things turned out so well and that I am now able to continue to devote my full energy and time to the responsibilities of this government.

Members will recall that one year ago, November 5, 1981, nine provinces and the government of Canada signed a landmark accord which set in motion the final stage of the constitutional revisions which had dragged on for so long. A very hectic five and a half months ensued, culminating on April 17 of this year when Her Majesty Queen Elizabeth II proclaimed the Constitution Act and our new Constitution on that historic, emotional and rainy day in Ottawa. With these and many other activities, it has been an eventful year.

I should like to begin with a brief description of this ministry. The main purpose of the ministry is to provide policy advice to the government in the conduct of Ontario's relations with other jurisdictions. This is done through the intergovernmental relations program as set out in the estimates before members. Within this program are our three main operating branches: federal-provincial relations, which also covers interprovincial relations, the branch on international relations and our protocol services branch.

This ministry is also responsible for relations with the francophone community of Ontario. This is carried out through the office of the co-ordinator for French-language services. In addition, I am the minister through which the Council for Franco-Ontarian Affairs reports.

4:20 p.m.

Finally, our main office covers those corporate ministry-wide activities such as information services, planning, ministry management and administration.

We are a small ministry, as the estimates before the House will demonstrate. As of April 1 this year our total complement was only 86 people, or less than 0.1 per cent of the total government manpower. The estimates now under consideration total only $7.1 million, or less than 0.3 per cent of the total government

budgetary expenditures for this year. Truly we have an important mandate to be performed with very limited resources.

These estimates reflect a net increase of $2.6 million over last year's estimates. The major components of the increase are: provision for our two new offices overseas of $1.1 million; relief assistance in respect of the Italian earthquake in November 1980 of $600,000, and the effect of the 1981 salary awards on payroll and other increases in the cost of personnel of a total of $288,000.

I said that I hoped this discussion would focus on issues facing Ontario in the intergovernmental arena. It is with this in mind that I would like to devote the rest of the time in my opening statement to a brief review of the challenges presented to Ontario and some of the ways in which we have responded and will respond.

First, I would like to deal with domestic intergovernmental relations. During the last year intergovernmental relations within Canada have formed a pattern of marked contrasts. We see the major achievement of consensus among 10 governments on a new Constitution contrasted with the unilateral actions of federal and provincial governments on a number of economic matters. Elsewhere we see a successful block funding of social services now threatened by federal attempts to reintroduce conditions on provincial services.

While the Prime Minister characterizes this aggressiveness among governments as a new federalism, I find such unilateral and uncooperative approaches a foreboding prospect. It is clear that the essential glue of balanced federalism, by which I mean co-operative action, mutual respect and good faith, has at times been eroded by actions that lead to distrust, acrimony and inconclusiveness. All too often we have noticed a limited willingness on the part of governments to make the compromises necessary to allow the major issues of the day to be resolved.

Many governments take their cue from the federal government, which, by making unilateral changes in joint programs and by avoiding approaches to joint economic planning, has at times set a climate of confrontation and has abdicated the necessary federal role of balancing competing regional interests within Canada. For their part, some provinces have been forceful proponents of a highly decentralized federation, which has weakened any sense of interprovincial or regional co-operation to meet and solve our common problems.

At the same time we must recognize that the relentless pressure of economic issues does require governments to begin responding constructively. The public expects governments to work together. The public expects governments to work co-operatively and jointly, where that is needed, on the problems of inflation, unemployment and a number of other very important matters. There are signs that more frequent dialogue is beginning. These are good and very hopeful signs, and there have been some productive bilateral meetings of ministers on economic matters.

As far as Ontario is concerned our objective is simple: to get Canadian federalism really working again and above all to ensure that all regions can work together effectively and co-operatively.

Five major intergovernmental issues will illustrate, I think very well, what we mean.

First is the area of inflation and unemployment. The fight against inflation and unemployment has been less effective than it might be because of a lack of shared perspective on approaches to economic recovery. Attempts at a joint federal-provincial approach to economic issues have floundered on the federal government's reliance, until recently, on a tight money, high interest money policy as the only solution.

On the other hand, a significant number of provinces have shown a tendency to reduce their commitment to co-operative federalism and to downplay the right and duty of the federal government to exercise its leadership role in economic policy. I think these measures explain in large part the failure of the first ministers' conference on the economy last February.

Ontario's proposals are straightforward. The profound economic crisis requires a comprehensive solution. While separate federal and provincial initiatives to constrain and redirect government spending are a step in the right direction, they are not enough to lead to an early and sustained recovery.

At the first ministers' conference in February, and again at the Premiers' conference last summer, Ontario proposed a national program for economic recovery based on fairness and equity for all regions of this country and a genuine renewal of co-operation between Ottawa and the provinces.

Mr. Lalonde's recent economic statement with its job creation scheme may produce results in conjunction with provincial actions, but bilateral meetings such as are being held are not enough in our view. We still believe the

times require a better effort at multilateral co-ordination.

The Premier (Mr. Davis) on behalf of the government of this province has said many times, and did so again a day after the new employment expansion and development program was announced, that Canada requires collective leadership, which could best be initiated at this time through a first ministers' conference on the economy, for the recovery of all facets of our economy. We believe a first ministers' conference should be called this fall and we hope the federal government and the first minister of this country will take this advice to heart.

Second, in fiscal policy, federal-provincial fiscal arrangements have shown the most profound shift from co-operative federalism to a unilateral assertion of the federal government's own limited view of what it sees as the national interest.

In order to achieve its cost-cutting intentions in the November 1981 budget, the federal government has arbitrarily established a new equalization formula that will save Ottawa about $290 million in 1982-83 alone, at the expense of the provinces. Most important, the revised formula does not address the growing interprovincial fiscal imbalance between energy importing and energy exporting provinces and regions.

In addition, the federal government has unilaterally removed the revenue guarantee from established programs financing entitlements as a further means of expenditure restraint. By this means alone, over a five-year period Ontario will lose $1.9 billion in funds for health and post-secondary education through a measure imposed without the benefit of real intergovernmental negotiations or a real understanding of legitimate provincial needs and priorities.

Money aside, our current concern about post-secondary education and health is with the federal attempt to impose new conditions on the transfers of money for these programs, thus reversing the very successful block funding agreement of the last five years.

I should emphasize that Ontario recognizes the federal concern for accountability and visibility for its expenditures, but we reject the confrontation approach pursued by Ottawa. Nothing is achieved by making inaccurate and unsubstantiated accusations about the competence of provinces if, in the end, both levels of government want to retain a joint activity in these very important program areas.

Mr. Roy: Boy, talk about the pot calling the kettle black.

Hon. Mr. Wells: I will be interested to hear what you have to say about that.

Third, regional development: Economic and regional development is an area where, in the past, the federal and provincial governments have worked together successfully. More recently, the federal government has announced its intention to let existing agreements lapse and to formulate new agreements based on governments pursuing parallel and potentially uncoordinated courses of action.

4:30 p.m.

This approach reduces flexibility to match federal priorities and, in this case, Ontario's needs. It opens the door to duplication of funding in some areas and funding gaps in others. I think it is important to underline that Ontario has made a proposition. In response, Ontario proposes the integration of federal funding with Board of Industrial Leadership and Development programs to take the maximum advantage of our joint interests and plans for the Ontario economy, a very simple, logical and straightforward proposal. We hope that the recent appointment of a federal co-ordinator of economic development for Ontario will facilitate this harmonization of our objectives.

I point out to members that we have a real desire on the part of the federal government to enter into regional development programs for the betterment of the economy. We have an excellently developed program in the BILD program in Ontario, which was developed on the assumption that there would be federal participation. We have a lack of interest on the part of that government in this area while wanting to go off on its own in some type of duplicate program.

I say to my friends in the House that it makes eminent sense for Ottawa to become part of a success story, the BILD program. We welcome—

Mr. T. P. Reid : The only thing you have done is put up a bunch of signs.

Hon. Mr. Wells: I am not going to get into the details of the program which my friend the Treasurer (Mr. F. S. Miller)—

Mr. T. P. Reid: It won't take you long. It will take 30 seconds.

Hon. Mr. Wells: My friend the Treasurer can take quite a long time outlining all the BILD programs to you. I know my friends on the other side believe in common sense, simplicity of operation and so forth, and federal participa-

tion in the BILD program will give them the twofold benefits. There will be inter-regional developments, help where help is needed in Ontario, and the groundwork has already been done for them.

Mr. Roy: I can understand why they would want to be cautious.

Hon. Mr. Wells: We will be glad to put their name on the sign too.

Mr. T. P. Reid: You have probably got them all printed already. That is all BILD has done.

Hon. Mr. Wells: No. I am very happy to have—

The Deputy Chairman: When the honourable minister finishes his remarks, you will have plenty of opportunity.

Mr. Stokes: Who is the federal co-ordinator you're talking about?

Hon. Mr. Wells: Mr. Larry O'Toole.

Mr. T. P. Reid: With a name like that, he can't go wrong.

Hon. Mr. Wells: He is the federal co-ordinator who has been appointed and he has come down to try to get things going in Ontario from the federal point of view.

The fourth area is Ontario-Quebec relations. I have spent some time discussing issues which revolve around federal-provincial relations. I would now like to turn our attention to what I think is another very critical area of intergovernmental relations within Canada: Ontario-Quebec relations.

The close historical relationship between Ontario and Quebec which has existed since pre-Confederation days has, as we all know, been eroded in recent years by the very different views of constitutional reform taken by our two provinces and the governments of those respective provinces. Ontario does not believe the best interests of Canada or Ontario are well served by the separatist policies of the present Quebec government.

Having said that, yet we are hopeful that Quebec, like other governments, will be able to participate in the consensus reached in the constitutional accord of last November. We very genuinely regretted Quebec's refusal to be able to sign that accord.

The Premier and I have made it clear in public statements that Ontario is willing to consider and discuss constructive proposals from Quebec for further constitutional reform. By keeping alive the debate over Quebec's place in a renewed federalism and by working closely with the Quebec government on economic and trade issues and problems common to both provinces, we are attempting to build a stronger relationship with our closest neighbour and to strengthen the Canadian federation as a whole at the same time.

Any discussion of relations with Quebec leads logically to the broader question of constitutional change in Canada. Constitutional reform was the most significant achievement in intergovernmental relations in Canada since our last estimates discussion, as I have already said.

With the proclamation of the Constitution Act by Her Majesty Queen Elizabeth II on April 17 of this year, we ended a long, tortuous and exhausting phase in the modernizing of our Constitution. Personally, I am very proud of this achievement and the role that this government played in the process. I also wish to acknowledge the nonpartisan support of this House for Ontario's position, as well as the very helpful advice provided by the select committee on constitutional reform and the Advisory Committee on Confederation. Through these and other efforts we can point to our constructive, active and innovative role in this review process.

I do not wish to pursue this further at this time. Members will recall that I outlined the constructive role played by Ontario in my very lengthy remarks in this House on April 15. But, as both the Premier and I have asserted on several occasions, constitutional reform is not finished. For one thing, it is clear that for some provinces neither the distribution of powers nor the character of our central institutions provides adequate recognition of their unique aspirations.

In this regard, I want to emphasize that Ontario does not wish a continuing constitutional agenda to deflect attention at this time from the very serious problems facing the Canadian economy, nor would we wish to see the creation of antipathies which could spill over into the economic arena. But we must realize and appreciate that for some, particularly provinces in the west and Quebec, the reform of the Constitution has not yet gone far enough. Indeed, the recent untimely passing of former Ontario Premier John Robarts has reminded us all of Ontario's reputation and hard work in recognizing the needs and concerns of other provinces with respect to their place in Confederation, and this work and this role of Ontario must go on.

However, the most prominent reason for continuing our constitutional discussions at this

time is to carry out our obligation to the aboriginal peoples of Canada. The Constitution Act itself calls for a first ministers' conference on aboriginal and treaty rights to be held before April 17, 1983. This conference, which I would tell the members will likely be held in early March 1983, will bring together the first ministers, the provincial Premiers and the Prime Minister of Canada, the leaders of the territorial governments and the heads of the national aboriginal organizations: the Assembly of First Nations, the Native Council of Canada and the Inuit Committee on National Issues.

The conference, which will begin on March 1 with all these groups, will mark in some respects the culmination of the personal initiative of the Premier of Ontario. In 1979, just before the February 1 ministers' conference on the Constitution, the Premier met with Ontario's Indian leaders to discuss the implications of constitutional reform for our aboriginal peoples. As a result of that meeting, the Premier requested his colleagues to consider native people's concerns as an item on the constitutional agenda.

During the discussion of this matter, the Premier suggested a process for consultation which for the most part has been accepted by governments and aboriginal groups. He said at that time: "I think some special meeting and special consultation should take place with the native people within our own provincial jurisdiction and then hold a meeting with a group of ministers. They"—the native people—"have some very unique problems to discuss and I do not want that to be forgotten."

In preparation for the first ministers' conference, an intensive consultation process has been planned. A steering committee of deputy ministers of intergovernmental affairs and native spokesmen met in Winnipeg in October. The next meeting of the steering committee is scheduled for December. As a result of the Winnipeg meeting, federal-provincial native working groups have been set up to deal with the major issues that aboriginal groups wish discussed at the conference. These issues include aboriginal and treaty rights, a role for native groups in government decisions affecting them, and economic and cultural matters. In addition, a fourth working group will look at the ongoing process after the March conference.

4:40 p.m.

The final step in this preconference stage was a meeting of the Continuing Committee of Ministers on the Constitution, the CCMC as we have been calling it. The Attorney General (Mr. McMurtry) and I will represent Ontario at this meeting. The purpose of the meeting will be to review the documents of the working groups and the steering committee and to report to the first ministers and the national native leaders.

This government is committed to real progress by first ministers on constructive and lasting solutions to the difficulties faced by our aboriginal peoples. In this respect, the province has provided funds to major native organizations in Ontario for the past three years to assist them with constitutional research projects. In this fiscal year, funds totalling $200,000 were made available.

We have had and will continue to have a positive dialogue with our native groups in Ontario and expect to be in a position to present constructive proposals for consideration by governments and native groups. I am sure we will all agree the nature of these is such that they cannot be discussed and resolved at one meeting. The government, therefore, regards the forthcoming first ministers' conference as an opportunity to strive for agreement on basic principles and to establish a mechanism for further ongoing discussions between the government and the aboriginal organizations.

In addition, it is very possible that non-native constitutional issues will be the focus of attention by first ministers at the March meeting for perhaps half a day or a day. While all governments will propose items, Ontario for its part would like to see some completion of constitutional discussions to permit the creation of unified family courts at the provincial court level and to reconsider the inclusion of a property rights guarantee in the Charter of Rights.

I would like to deal next with Franco-Ontarian relations. A healthy and vigorous francophone community in Ontario cannot help but give us a better understanding of the deep roots and vitality of the two founding nations within our Canadian Confederation. This is one reason I am pleased to be the minister responsible for French-language services policy in Ontario.

The last year has seen several important forward steps in our French-language services policies and programs and I would like to review some of the highlights for you at this time. A comprehensive review of existing French-language services was undertaken during the last year and was tabled in this Legislature last May. I can report that the main recommendations in this report are at present before cabinet for consideration.

Amendments to the Municipal Act now permit municipal councils and agencies to conduct business in either English or French or in both languages. Amendments to the Registry Act have also been passed to allow official records of property transfers to be accepted and filed in both official languages. An amendment to the Judicature Act to permit easier designation of bilingual courts is now before the Legislature for action.

I am pleased to report that full-time French-language services co-ordinators have recently been appointed in the ministries of Agriculture and Food, Natural Resources, and Transportation and Communications. This brings the total number of ministries with full-time co-ordinators to 13. French-language advisory committees to assist ministries in developing comprehensive services have been established in the ministries of Community and Social Services, Health, and Transportation and Communications.

The office of the government co-ordinator of French-language services within this ministry is working with the Civil Service Commission to ensure that offices in designated areas do have the appropriate bilingual staff.

As I mentioned before, the Council on Franco-Ontarian Affairs reports through me to the government as part of our general responsibility for relations with the French-speaking communities of Ontario.

Under the able guidance of its chairman Roger Régimbal, the council has continued to provide advice to the government on all policies and issues of concern to the Franco-Ontarian community and to inform that community of government policies and programs of real importance to it. During the current year, the council has informed us that it is looking at several priority areas, including further extension of French-language services by the government, exploring means of improving TVOntario services to the francophone population and developing an inventory of Franco-Ontarian manpower resources. We look forward to retaining our close working relationship with the council in the pursuit of our mutual objective of meeting the aspirations of the Franco-Ontarian population of this province.

In the area of international relations, I would like to make a few comments. I have concentrated today on Ontario's relations with other governments in Canada. I would now like to spend a few minutes on the other major aspect of our activities: relations with jurisdictions outside Canada.

This last year has been important for Ontario on the international scene. The growing crisis in the Canadian economy is one aspect of the many problems of the international economic structure. In these conditions Ontario must be more active than ever before in protecting its interests and taking advantage of any opportunities it can beyond its borders.

For obvious reasons—geography and affinity—relations with the United States of America are Ontario's primary international concern. This government supports fully the current federal approach which we now see developing, designed to encourage a warmer, friendlier atmosphere in Canada-United States relations.

It must be said, however, that a number of difficult issues have emerged with the United States during the last two years and we must deal with these quickly and with assurance that the essential interests of Ontario are recognized and protected to the greatest possible degree.

Among these issues are environmental protection, including acid rain; a growing sympathy in Congress for protectionist legislation, which will have serious consequences for Ontario exports; problems caused by the deregulation of various American industries, trucking being one example; and a perceived conflict between Canada's commitments under the General Agreement on Tariffs and Trade and some of our internal policies with reference to imported wines and spirits.

I do not propose to discuss these specific issues and problems at this time, but I cite them as examples of the kind of problems which must be met and solved in the knowledge that the solutions will have a direct and significant impact on the Ontario economy.

I am pleased to report to the committee that our new overseas Ontario Houses in Paris and Brussels are now fully operational. Our staff, in close co-operation with their colleagues from the Ministry of Industry and Trade, are now active in explaining our jurisdiction, our opportunities and our potential to governments and key people in France, Benelux and the European community.

The visit by the Prime Minister of France earlier this year reminds all of us that there are a growing number of important visitors to Ontario from other countries. Ensuring that these visitors depart with an understanding of Ontario's potential and its concerns is a key responsibility of this ministry.

The list of visitors is indeed a very impressive one. During 1982 to date, for example, official

visitors to this province have included, in addition to the French Prime Minister, the President of Greece, the President of Guinea and the Prime Minister of Portugal. Ontario has also been the site for three major intergovernmental conferences, including the International Monetary Fund-World Bank annual meeting.

Members will note reference in these estimates to funds for Ontario's international disaster relief program. The major portion of this funding is to fulfil our commitment to reconstruction projects in southern Italy. During the current and following year we expect to spend a total of $600,000 on this particular concern. Although no funds have yet been turned over to the southern Italy earthquake fund, we now have a signed contract with them which will ensure that all provincial funds are spent appropriately. This year the government also presented a cheque for $100,000 to the Canadian Red Cross for food supplies, drugs, etc., for the elderly and the young in Poland.

4:50 p.m.

Another aspect of our activities related to international contacts is our relations with foreign government representatives in Toronto. This ministry has an active program of liaison with the 62 consular posts in Toronto and the 33 honorary posts located in 15 cities across this province. Once again the primary purpose of this activity is to ensure that these representatives of other governments are informed fully of Ontario's interests and concerns and of our potential for economic growth and development. We also administer diplomatic and consular immunities and privileges in this province in line with the commitment of the government of Canada under the international conventions governing such matters.

In concluding, let me recap very briefly the role of this ministry. Ours is a co-ordinating one on behalf of the government as a whole. We are a central agency that co-ordinates and integrates the province's relationships with other provincial governments, with the federal government and with foreign governments.

Overall, our aim is to provide policy and operational advice and service to the government. As I said, this is done through four basic operating units within this ministry: the federal-provincial relations branch, which also covers interprovincial relations; the international relations branch; the protocol services branch; and the office of the co-ordinator of French-language services, which relates to our mandate to co-ordinate French-language services that are provided by the whole government.

I now invite the committee to consider the estimates of the Ministry of Intergovernmental Affairs, estimates that total $7.1 million for the fiscal year 1982-83.

Mr. Chairman: The member for Ottawa East.

Mr. R. F. Johnston: Is this a big enough crowd for you, or would you like some more people?

Mr. Roy: No. Mr. Speaker, I enjoy speaking to a full House, and undoubtedly I would much prefer to have a lot of bodies here as I review the minister's statement in a ministry as important as this one.

I would like to say, Mr. Speaker—

Mr. R. F. Johnston: You are not going to call a quorum, then? Is there actually a quorum here, Mr. Chairman?

Mr. Roy: Oh yes, that's right; I keep calling you Mr. Speaker. I apologize for that, Mr. Chairman. I do not want to give you promotions that are unwarranted so early in the week.

Mr. R. F. Johnston: Mr. Chairman, on a point of order: I am quite concerned. We have been through the minister's leadoff now and we are starting to go through the critic of the official opposition's leadoff, and I do not think we have enough people in the House. I would ask if you see a quorum or not, Mr. Chairman.

Mr. Chairman: We will be informed momentarily.

I would like to point out to the member for Scarborough West that a quorum is present.

Hon. Mr. Wells: The Attorney General (Mr. McMurtry) has come to hear you.

Mr. Roy: Mr. Chairman, I realize that a lot of important people have come in all at once. It is always surprising where the Tories on the other side are able to hide those big bodies. I do not want to insult my friend the member for Carleton (Mr. Mitchell), but if you take an average of the member for Cochrane North (Mr. Piché), the member for Eglinton (Mr. McMurtry) and him, you still get some pretty hefty individuals.

I always welcome the opportunity to participate in these estimates, because the minister, of course, is such an honourable fellow, one of the ministers who has the full support and sympathy of many of his colleagues, if I may put this on record, because over these 11 years I have not been always as charitable as I am towards this particular minister when I had the opportunity to be the critic of a variety of ministries.

I do want to say that I have looked forward to

saying to the minister that since the early days of the establishment of this ministry and the suggestions we have made—for instance, that the ministry would be a more effective instrument if the section dealing with municipal affairs were taken away and given to someone else; and, God forbid, I had not suggested it be given to the member for Ottawa South (Mr. Bennett) but, in any event, that is what took place.

We felt, and I believe my colleagues on all sides fully recognized and appreciated the fact, that the additional responsibility of municipal affairs was just too much for the Minister of Intergovernmental Affairs, who at that time also was the government House leader. He was involved with the Constitution, spending his time in the kitchen along with the Attorney General, the then Honourable Roy and the Honourable Jean Chrétien; over and above that, to have municipal affairs was just too much. The Premier (Mr. Davis) appreciated that and made some changes. We welcomed them.

We think the member for Scarborough North (Mr. Wells) is well suited to be handling this ministry. Many of us here would say—and we get the experience every time he is sick—how well suited he is to handle the House as well. We think his disposition, his savoir-faire and and his flexibility are such that he is a minister who is well suited for this position.

Mr. Boudria: Too bad you can't say that about the rest of them.

Mr. Roy: Yes. These comments obviously would be limited if I were to go down the front row.

I want to deal briefly with the minister's statement. It was a wide-ranging sort of tableau sketch of the whole ministry and its various segments. I appreciated the minister making a comment about the involvement of his ministry. First of all, he talked about the fact that there were only 86 people.

By the way, I want to say to the minister that my first criticism is, what is it about the birds on the government side that they are so paranoid about giving statements about their ministries that they do not give them to us before the minister starts to speak? Why would they not give us 10, 15, 20 minutes or half an hour to read their statements so we can comment on them?

It is always the same thing. The minister starts into it and you are furiously taking notes when, all at once, some assistant or some individual comes along and gives you a copy of the statement.

Hon. Mr. Wells: I thought you had it before I made the statement.

Mr. Roy: No, I got this after 15 minutes.

Hon. Mr. Wells: That is our slipup. We had it available.

Mr. Roy: I do not want to be unduly harsh to the crowds that are under the gallery—I do not get a chance to see them that often, because I have to look over from where I am sitting, but I take it the minister has a good number of bodies under the gallery—but maybe the minister's fonctionnaires, his civil servants, are being overly protective.

The minister should just tell them that it would not hurt anything; I am not that dangerous. Half the time I will not even read the minister's statement anyway. But if he will just give it to me about half an hour before, so I can glance at it, then when I respond I can do it more succinctly, more precisely, rather than having to take all this time to review various aspects of the statement.

The first thing I want to talk about is the minister's statement that he was operating his whole ministry with only 86 people, including Omer Déslauriers; I take it he is on staff and being paid. My good God, it struck me that with the ministry's very limited budget they still manage within the realm of that ministry to give good jobs to their friends.

5 p.m.

We have talked about various people who have received good jobs because they have been loyal servants of the Conservative Party. The Chairman knows what I am talking about. I do not want to single him out, but the Attorney General will know what I talk about when I mention various people such as—what is his name?

Mr. T. P. Reid: Morley.

Mr. Roy: Yes, Morley. It is easier for some ministries to hide their friends—for instance, by sending them to the Ontario Municipal Board.

Hon. Mr. McMurtry: We must be doing a very good job on this side of the House if that's all you can talk about.

Mr. Roy: But the Morley case is so delicious. When Morley—

Mr. Boudria: He is hard to resist.

Mr. T. P. Reid: It's like the wart on the end of your nose.

Mr. Roy: That is right. I would like to forget about Morley but on every second issue that comes before the House there is unanimous

consent to send it to Morley to decide: "Put the issue before Morley; let him be the judge." I must say to the Attorney General that whatever job Morley gets as his recompense or his reward for having been a Conservative candidate, it is still peanuts compared to what our dear friend Omer ended up with.

Looking at the scale of jobs, I would think that only one person employed as a representative of Ontario would have a better job than Omer and that would be Adrienne Clarkson in Paris. I see all the Tories across the way salivating as I discuss this. Omer's job surely is the second best job they can give to their friends.

Mr. Ruston: Even better than being Premier.

Mr. Roy: Or it is a job to get after one has been Premier. As a representative of the Ontario government in Brussels, he is really with the big shots there.

Interjection.

Mr. Roy: My friend the Attorney General says he is studying French. I will bet him that even though he would study French and become fluently bilingual, he would have a hard time getting that job. There are a lot of people lined up for a job like that, including the fellow to his right.

As my friends have said, "If you want a good job like that, you have to make the ultimate sacrifice and run in Ottawa East." That is the ultimate; one has to go through pain, suffering and punishment for a period of—37 days; is that it?

Mr. Stokes: Mr. Chairman, on a point of clarification: I heard the Minister of Intergovernmental Affairs whisper something about Joe Clark. Is that the job he is saving for him? In Brussels?

Mr. Roy: If things get rougher for Joe Clark he may be a good candidate. He may be in line for a job like that. That is no demotion; although, as my friends say, he may be very reluctant to run in Ottawa East.

I want to deal briefly with some of the comments the minister made in his statement. At first, he was somewhat critical of the federal government. I am not here to defend the federal government. In fact, there are times when I have been critical of the federal government myself. But I do find it somewhat cynical on the part of this administration, including this minister, to have some criticism of the federal government when anything goes wrong in Ontario.

The Premier is the classic example of this; the minute something goes wrong, he hides under a desk and points a finger at Mr. Trudeau. It is not the same finger that Mr. Trudeau points, but he does point a finger at him.

Mr. Foulds: Which finger? Is it called the Trudeau salute?

Mr. Roy: My friends in the New Democratic Party caucus are trying to provoke me to be unparliamentary. I want to say that my friends on that side know what control I have and that I shall not be provoked to that extent.

Mr. R. F. Johnston: Controls for everyone.

Mr. Stokes: I think it is a digital description.

Mr. Roy: I will not comment further on that. The Prime Minister, at the Liberal convention, and I heard this myself, said he was partially apologizing, or apologizing in part—I am not sure which, but it was a limited apology, in any event. I think that is a step in the right direction.

Mr. Stokes: He said they should stop apologizing for him.

Mr. Roy: Or criticizing him, he said.

I want the minister to take a message to his government that they cannot have it both ways. They cannot expect the feds to suffer this government's persistent abuse. Whenever there is a problem, they blame Trudeau or the federal ministers. Yet the minute they need something, whenever an initiative or money is needed, they turn to the feds.

And they expect to get the credit when something good happens. The classic case in the province is the Minister of Industry and Trade (Mr. Walker). Every time someone lifts a hammer in Ontario, he takes the credit for it, he is the one who created the job; but whenever there is unemployment or a plant is closing the minister is nowhere to be found, and it is the fault of the feds.

If this government wants to foster normal relationships, it has to be able to take it as well as to give it out. They cannot expect the federal government to always turn the other cheek when they are attacking them.

But that is not a problem with only this administration. I look with some trepidation at what I consider to be near paranoia on the part of the Premier of Newfoundland, who always seems to reject, with uncontrolled enthusiasm, any program or initiative suggested by the federal government.

God knows, the Prime Minister and some of his ministers sometimes have taken approaches or attitudes towards the provinces which have made things difficult. I am prepared to admit

that. But the fact remains, when the Premier of Newfoundland seems to be the only Premier in the whole country who cannot reach an energy agreement, one starts to wonder whether it is the fault of the national government or of the provincial government.

We have agreements with Alberta and with British Columbia, and these are administrations that have differences with Ottawa. We also have agreements with Nova Scotia and New Brunswick. What is wrong with Newfoundland? What is the problem there?

5:10 p.m.

With respect to criticism of the federal government, I must single out Quebec. Since 1976, when the present government came to power, the only time the Premier or his ministers have made positive comments about a federal program has been when it was obviously impossible for them to take the credit for it. More often, the present administration in Quebec has systematically and continuously attempted to criticize and undermine, and has made every effort possible to try to be negative towards the federal administration.

I find it sad. I am like the minister in the sense that it is unfortunate so many provincial administrations—and that is one I have singled out, but I singled out Newfoundland as well—are playing politics at the expense of their own constituents and citizens in that jurisdiction. I agree with the minister that co-operative federalism, if you want to call it that, is not advanced by such approaches.

I agree with the minister as well that, on the question of national leadership to fight inflation and unemployment, there has been a lack of leadership by the federal government. I am not afraid to put that on the record. I have said this before and I will say it again in this assembly.

The thing I found most negative and difficult to accept on the part of the federal government was the November budget of Mr. MacEachen when he clearly missed sensing the present economic downturn. He had a variety of programs intended to correct excesses in the field of income tax that were not at all appropriate for businesses that were going under or for individuals who were becoming overly cautious. If I can quote the federal Solicitor General, Mr. Kaplan, it was a terrible budget, a horrible budget.

In my opinion, the federal government and the Prime Minister made it very difficult to accept their leadership in this field when Allan MacEachen came back in June with a new budget. The problem was that we had the same Minister of Finance, having proposed one solution, proposing a contrary solution a few months down the road. The perception was very clear at that point that the messenger might lack some credibility with his program.

I think things have improved now that Marc Lalonde has put forward a new policy statement in the past few days. There has been some improvement in their credibility. The federal government, having lacked a perception of the collective effort that was needed on the part of Canadians, did not give proper leadership.

Of course, this government is not giving proper leadership on this issue. The Premier of Ontario sat on the fence all summer long, polling and determining, "Should we go with this program or not?" Obviously he read the polls, especially the federal poll that indicated 65 per cent of citizens were in favour of it. In my opinion, that motivated the government more than anything else. Even at that, having waited all summer to bring forward its economic program, this government still brought forward a program that has huge inequities and will not be acceptable to a sizeable sector of the Ontario community because of those inequities.

How can we get citizens to say collectively, "Yes, we will sacrifice; we are in this together and we are prepared to have restraint," when we have a certain sector of the community, the doctors, who are at the upper end of the scale, with no limits or controls on their revenue? They have an agreement, apparently it is in force and apparently it will continue.

It is a sad situation when we see day in and day out in this Legislature a Premier who is not prepared to face up to the doctors of Ontario. He is not prepared to say, "Leadership is required." People in this assembly have accepted controls. People in the public service have accepted controls. We expect people at the bottom end of the scale to limit their increases. Yet the Premier is not prepared to face the doctors.

As long as he takes an attitude such as this, it is very difficult for him to have any credibility with his program. I could mention as well that the program is weak on the price side. That, again, is reason for a lack of credibility in the program.

Interjections.

Mr. Chairman: Order.

Mr. Roy: Mr. Chairman, that is fine. I will let

you know when I think the members are getting out of hand.

The minister talked briefly about fiscal policy and the requirement for leadership from the federal government on the question of fiscal policy. Again I say to the minister and to his colleague the Treasurer (Mr. F. S. Miller), they are hardly in a position to be lecturing the federal government on fiscal policy.

It is somewhat cynical on the part of the Treasurer to stand here in the assembly again and say: "Our deficit is far more responsible than the federal deficit. Look at these irresponsible beggars at the federal level. Look at the $23-billion deficit; isn't it awful?" At the same time as he is saying that, the Treasurer has his hand out, saying, "Give me more money for job creation, health programs and social benefits for those people who are going to come off of Unemployment Insurance Commission benefits."

How cynical those people are over there. On the one hand, they criticize a deficit that is required to support a whole variety of federal-provincial programs and, on the other hand, they want to increase it. They should get their act together. Their cynical or hypocritical approach does not impress us in this assembly.

I thought the minister was being a true comedian in his statement when he said he felt the feds should fuse with or tag along with the Board of Industrial Leadership and Development program. He said the apparatus is already there and the feds should tie in with that program.

I can understand why the feds would want to be cautious. Has anyone ever seen a program that is more cynically political than that BILD program? Every stop sign put up in Ontario is under the BILD program these days. Probably the most job-creating part of that program is painting all those signs saying, "This is a BILD program." That is probably where more is spent than any place else.

I understand why the feds—and I am sure you will, Mr. Chairman—

Mr. Chairman: What colour are the signs?

Mr. Roy: What colour of sign, you ask me. Is there any one of the signs that does not have the name of the Premier on it? I ask my friends here, is there any BILD program sign that does not have the Premier's name on it? That is a challenge I issue to my friends across the way. I ask the Attorney General, is there any sign that does not have the Premier's name on it? And the province expects the federal government to come along and subsidize that crass, obscenely political program.

The Chairman will understand that the feds have lacked some foresight in their funding, but at this stage I do not think they want to be part of something that is so blatantly political as this program. The minister may well have an apparatus there, but to those of us who have seen how they propagated this program during the last provincial election, it is awfully tough to take. For the government to have the nerve to say, "Not only did we get political mileage out of this during the 1981 campaign, but we want the feds to come in and subsidize this." I mean, aren't you pushing just a bit much?

5:20 p.m.

Mr. Mitchell: Hey, Albert, you were on, too, at the microelectronics centre.

Interjection.

Mr. Roy: Yes. You want me to say something to the member for Carleton?

Mr. Mitchell: I am just saying you were on TV at the microelectronics symposium.

Mr. Roy: The member for Carleton obviously has got a lot of time on his hands. He is not sitting in the justice committee, as he has been the last few weeks, running all over counting bodies. Are you on the government whip's payroll?

Mr. Mitchell: No.

Mr. Roy: You seem to be doing all his work. Is he letting you ride in the limousine? Does he pick you up at your apartment hotel?

Mr. Mitchell: No.

Mr. Roy: He doesn't? Well, you are not getting fair treatment.

Mr. Mitchell: I am just here Monday to Friday.

Mr. Roy: Well, you should be here Monday to Friday. Your hand must even shake when you pick up your cheque just to be doing that. Even you have more potential than just to count bodies, and that is all you have been doing around here; so get with it.

Mr. Chairman, the minister talked about Ontario-Quebec relations, and he talked about how the historic relationship between Ontario and Quebec does not exist at the present time. He blamed this on the separatist, or indépendantiste, aspirations of the present Quebec administration, and in a sense he may be justified to some degree. But the present Premier (Mr. Davis) has never had the visibility or the credibility in Quebec that the late John

Robarts had, and for a very basic and fundamental reason: The present Premier is perceived in Quebec as being too much the defender of the status quo. The publicity in Quebec is that at every opportunity the Premier has, to put up some impediment to the improvement of French-language services or minority language rights in this province, he imposes limits or imposes vetos and that sort of thing.

That is the result of 11 years of administration, where constantly, any time he refuses an important program, whether it is the establishment of a school in Essex or in other areas of the province; where he refuses to insert or guarantee French-language services or rights in the Constitution; or where he imposes a veto, as he did in 1978 on legislation I had proposed, it is done with a lot of flair. Quebec hears about it, it is front page news and so on.

Unfortunately, any time a positive initiative is taken, whether it is a program by this minister, by the Attorney General (Mr. McMurtry) or others, it is all so quiet. It is done here on a Friday afternoon. Nobody hears about it, and so it is not surprising that you get these results.

And while my friend the Attorney General is here, I just want to say to him, I was reading the other day that one of his servants, who is serving the province very well, M. Etienne Saint-Aubin, was in Quebec, and he was telling the people there what improvements we had made in the field of justice. And we have; none of us here would deny this. It is appreciated, it is used and so on. But M. Saint-Aubin was expressing the frustration the minister and, I am sure, his colleague the Minister of Intergovernmental Affairs feel by asking, "What is going on in this province?"

There is a perception here that we are not doing anything. The perception here is that we only impose impediments instead of making progress, yet we have done this and that and the people do not know. Well, it is the government's own policies. When the Attorney General puts forward an initiative, he does it so quietly. You can see it as part of a Tory strategy. If he is going to propose a French-language program, try to do it at 5:30 Friday afternoon.

Hon. Mr. McMurtry: On a point of personal privilege, Mr. Chairman: The suggestion that any initiatives with respect to enhancing the French language in our bilingual court system have somehow been done through the back door, or deliberately reduced to a low profile as part of my approach to this important issue, I really regard as a very serious reflection on the manner in which, as the Attorney General of this province, I attempt to discharge my responsibilities.

There is not one of these initiatives we do not advise the House of as soon as they are undertaken because we know it is a matter of great interest to all members and we appreciate the degree of support we have on both sides of the House. The fact that Mr. Saint-Aubin is speaking with my encouragement in Quebec and elsewhere is an indication of our intention to make these initiatives as widely known as possible.

Mr. Roy: Why is it you are not making those speeches personally?

Hon. Mr. McMurtry: Many of you know I talk about these initiatives on many occasions in the city of Toronto. I expect to be in Ottawa next Saturday night and I look forward to—

Mr. Roy: Are you going to talk about that?

Hon. Mr. McMurtry: En français.

To suggest I am attempting to sneak this through the back door is the type of aspersion I know is not being advanced seriously by the member for Ottawa East. Unfortunately, Hansard does not record the broad smile on his face when he makes these remarks. I think it is incumbent upon me as a matter of personal privilege to make it clear that we are going to continue to make it clear to all citizens of Ontario that these initiatives are of great importance in a provincial as well as a national interest. I think we all appreciate that fact.

Mr. R. F. Johnston: Mr. Chairman, on that point of privilege: I wonder if it might be explained why there was not a statement to the House prior to the amendments to the Judicature Act? Perhaps there is an explanation.

Hon. Mr. McMurtry: There was.

Mr. R. F. Johnston: A statement that morning before them? No, there was not.

Mr. Roy: Was there a big press conference?

Mr. Chairman: Are you going to speak on the estimates? What are you going to do?

Mr. Roy: Mr. Chairman, let me go. I want some freedom here. Do not constrain me; do not clip my wings.

The point I wanted to make, and I think the record should show it, is my broad smile was being brought on, as my colleague from Prescott-Russell (Mr. Boudria) said, in disbelief at the comments and the smile of the Attorney General.

I want to make a comparison. Last week in Ottawa there was the opening of a microtechnology centre. There was press all

over there. Every Tory in the area was there. They had cameras.

Mr. Mitchell: You were there, Albert. You were on television there.

Mr. Roy: I know I was on television. I am not fighting that.

Hon. Mr. McMurtry: Next Saturday night in Ottawa.

Mr. Roy: I want to talk about that.

They had a hook-up with Toronto. They had hook-ups all over. They had lights flashing. They had little robots going all over the place.

Mr. Chairman: Pull it back into the estimates.

Mr. Roy: I am just giving an example. When they open a micro centre there is all that publicity. But when there are going to be French-language services, the Attorney General will sit there mumbling a little statement on Friday. That is the way it is.

Last week, when I said, "What is all this flurry of French-language services legislation, amendments to the Municipal Act, amendments to the Registry Act—"

Mr. Chairman: Order.

Mr. Roy: What's wrong?

5:30 p.m.

Mr. Chairman: Order. I have heard this speech already. I was here.

Mr. Roy: No, no.

Mr. Chairman: Yes, I was. I heard this one—the three acts, the whole business.

Mr. Roy: Yes, but the motivation is altogether different. The conclusion is different.

Mr. Chairman: How does this tie in with the Ministry of Intergovernmental Affairs?

Mr. Roy: The point I am trying to make is that this weekend the French-language lawyers are meeting in Ottawa. The Attorney General will be an honoured guest. He will be there with the Judicature Act, and he will say, "By the way, just two weeks ago, we had amendments to the Municipal Act, and amendments to the Registry Act." I know his strategy.

We appreciate these. I have encouraged him, but when there is going to be a French-language function—or at election time he likes to come in with a little bag of goodies and hand them out and say, "Here is what it is." But the problem is that by and large, whether it is your French-language program or whether it is any other initiative, it is done very quietly.

Mr. Chairman: Would someone tell me whose estimates you are doing?

Hon. Mr. McMurtry: Mr. Chairman, on a point of privilege: The member for Ottawa East has a very cynical view of the political process. That may be the way the Liberal Party traditionally operates; his party, federally in particular, has always said one thing in Quebec and another thing in Ontario. Divide and conquer, as a senior statesmen of this Legislature just said.

We do not believe in this. We say the same thing in Quebec as we say in Ontario, the same thing in Ottawa as we do in Toronto. You do not understand that and that is your problem.

Mr. Chairman: The point of privilege is not sustained.

Is the member for Ottawa East going to swing around to the Minister of Intergovernmental Affairs. He is the one—

Mr. Roy: The Attorney General was unduly provocative. In 1981 in Ontario in French-language ridings they were saying: "On a toutes sortes de beaux services."

They had little rabbits running all over telling us what it was, but at the by-election in Carleton they said, "We are against bilingualism." How can you cynically stand there and attempt to tell us that you are saying the same message all over. If there is a crowd who are hypocritical about that, it is that bunch over there. I will leave it at that.

We, on this side, welcome the initiative of the ministry in participating in aboriginal treaty rights and treaties. It is fitting that the conference which is scheduled for March or April 1983 should be dealing with that issue.

We are pleased, when we are talking about French-language services—and I say to you that French-language services is part of the estimates of this ministry—to see that the minister has established some 13 co-ordinators. That is good. He should be congratulated on this initiative, and I intend to deal with what I consider to be the failings in the French-language service process, which have been highlighted by recent reports that have been provided by people in his own administration.

We would take a giant step in the constitutional field in dealing with French-language services if you would give some consideration to resolution 20 which I proposed. It is on the Order Paper. I will let you plagiarize as much as you want. You can use whatever you want, leave out whatever you want, but there it is. It is all written out for you. It is extremely sensible and logical. It says that very simply in the Constitution, if we are to accept what you are saying in good faith, your objectivity in bringing

forward these things, your credibility, there it is; put it into legislation. Let us propose that in your amendments—and I am pleased to hear that you will be proposing amendments, for instance, in the Charter of Rights to deal with property rights—you also consider making important changes to guarantee French language rights in the Constitution, apart from the educational rights called for in section 23.

I am asking and suggesting that you amend sections 17, 19 and 20 of the charter to guarantee these rights in the Constitution. Once you have done that, it will be a lot easier for your co-ordinators to proceed.

I want to deal briefly with some little titbits which involve the Ministry of Intergovernmental Affairs external relations section of the administration. I notice the largest increase in the estimates is in the area of opening up offices. There is an increase of $1.1 million—or is it $1.6 million?—which has to do with the external offices set up by the Ontario government, including the nice office in Brussels for my dear, departed friend, Omer.

Hon. Mr. Wells: It is $1.1 million.

Mr. Roy: All right, $1.1 million. My good friend Omer Deslauriers.

When we are talking about that area, maybe the minister will tell me why the following policy decisions were necessary. I accept the fact that you have very competent people there—86 I believe you said, are in the whole ministry, and they are spending—$7 million, is it?

Hon. Mr. Wells: They are spending $7.1 million.

Mr. Roy: The minister tells me it is $7.1 million. In spite of all of that: with a ministry such as this, with a minister as competent as he is, a good and competent deputy minister, Mr. Stevenson, and competent staff all over; with the cabinet and the Premier who is so apprised of federal provincial relations; with all the caucus and the worthy representatives of Ottawa, one would think that this government would not require a "federal policy watcher" in Ottawa.

Why did we get a job for Jodi White? Why would we have to pay Jodi, a member of the Conservative Party in Ottawa, $2,000 a month, plus expenses, to keep an eye on the feds in Ottawa? I read some of the press reports on this. It states, "Her appointment marks the first time Queen's Park has had its own person in Ottawa." Not Joe Clark, not the federal caucus; you can't trust them.

Mr. Ruston: That is what you call an ambassador to Ottawa. Do you need an ambassador to Ottawa?

Mr. Roy: That is right. You cannot trust them. It used to be that when this government wanted to know what was going on in Ottawa they would say, "Claude, what is happening?" The member for Ottawa South (Mr. Bennett) would lay it all out and say, "Here is what is happening in Ottawa." You did not need Jodi White at $2,000 a month. You did not need that.

Since that time the member for Ottawa West (Mr. Baetz) has been elected. He is not too far from the Parliament Buildings. Why could you not ask him? Or the member for Carleton-Grenville (Mr. Sterling), another cabinet minister? Now you have the member for Carleton East (Mr. MacQuarrie). There is another fellow who could keep an eye on Ottawa. There is also the member for Carleton (Mr. Mitchell). All those people are not good enough. We have to pay Jodi White $2,000 a month to keep an eye on Ottawa.

Can they not trust Joe and the federal Tories? Can they not keep an eye on things? Could you not phone him and ask, "What is happening?"

They are smiling over there under the gallery. Have they fired her? Has her budget been cut off? Is she still on staff?

5:40 p.m.

Hon. Mr. Wells: We will get her down here next week.

Mr. Roy: Okay, because I would like to know. In fact, Denis Massicotte is quoted as saying on Tuesday: "White's hiring has nothing to do with the recent cooling of relations between the provincial and federal governments over national economic policies. The Ontario government wants to be aware in advance of the federal government's thinking on major issues."

Don't the phones work? Will Joe not co-operate? It is not that far. Some of us get back and forth to Ottawa quite easily. You could talk to me; I would help you, Tom. I would tell you what is going on in Ottawa and you would not have to pay me $2,000 a month. I would do it as a matter of public interest, public responsibility.

Mr. R. F. Johnston: What is your hourly fee?

Mr. Roy: Those cynical NDP members talk about my hourly fee. If they had ever worked for a living before they would know how hard it is out there.

Mr. R. F. Johnston: Mr. Chairman, on a point of privilege: I can only say the logic follows that if any of us who had worked and had gone

through that trial of having to suffer through a regular work day, we would then have probably wanted to become lawyers who do it on a two-days-a-week basis.

Mr. Roy: I am not sure what my friend said there, but I would only say to him—

Hon. Miss Stephenson: It sounded to me as though he said that they had never worked.

Mr. R. F. Johnston: No, no, I said we were aspiring to be two-days-a-week lawyers and three-days-a-week MPPs.

Mr. Stokes: Mr. Chairman, on a point of privilege: If the member for Ottawa East and the member for Scarborough West could harrow only half the ground that I have ploughed over the years, then they could get up and talk about work.

Mr. Chairman: Getting back to the estimates.

Mr. Roy: The former Speaker, the member for Lake Nipigon, is justified in saying what he did.

I want to say to my colleague the member for Scarborough West that I know he is the protector of the public purse on that side. Especially when I saw that last little—how should I call it—escarmouche, where Bob Rae left his seat and that caused a federal by-election. Then he comes over here and Don has to resign and he causes another by-election over that. I wonder how much that cost.

In spite of having said that, a lot of us are still with the member for Scarborough West. We thought he should have done better, but we are still with him.

The other matter of concern—and I am sure the minister will have an explanation—is Jodi. Tell us why it was necessary to put her on the payroll.

I want to talk about another matter which was of concern. I think I have raised it with the minister before. I for one do not think it is quite proper that our agent in Paris, Ms. Adrienne Clarkson, after her appointment in early summer—wasn't it?

Hon. Mr. Wells: May.

Mr. Roy: May. Okay, her appointment took place to the great dissatisfaction of many Tories. I want to tell you that there were a lot of Tories in Ottawa who came to me after Adrienne was sent to Paris and said, "Those guys are not going to get my cheque this time." There were a lot of people lining up for this. I had not realized that there are a lot of good, bilingual Tories. As you know, there are not many in your party or your caucus. A lot of them felt they were deserving of this job.

Anyway, Adrienne was appointed and time will tell if that was a good choice. It is certainly high profile, and she makes a lot of noise. I do not find it proper that after she becomes a representative of the Ontario government she should continue promoting a chain of hotels and be called the Westin woman in Canada. I frankly think that demeans the office. She is at the level of what one may even consider an ambassador.

Hon. Mr. Wells: She is not in the next one.

Mr. Roy: She is not in the next one, you say?

Hon. Mr. Wells: No.

Mr. Roy: I know, but she was in the Globe not very long ago; on November 1 there was another ad. She was in Maclean's as well, some time in October.

Mr. Chairman, you can understand that it is not proper for one who is on full-time staff—I presume it is full-time; I take it the appointment meant she would devote all her efforts to work on behalf of the Ontario government and she would be recompensed accordingly—to be promoting a chain of hotels, because it leads the public to think that somehow the Ontario government is favouring or promoting a chain of hotels.

So in spite of the fact that the explanation, apparently, is that she made a prior agreement and that she has been paid for the contract—I am told, in fact, that the ads are going to run for another year—I think it is improper and I think the minister should have made an arrangement either with her or with the chain of hotels and, if necessary, some financial payback to the hotel. But I do not think it is proper that such a high-profile civil servant of the Ontario government—and that is why they picked her to go to Paris—should be promoting a chain of hotels. I am sure the Chairman will agree with that, and I look forward to hearing the comments of the minister as to why this has happened. If it had been just one or two ads; but I am told the ads will run for another year, and I think that is improper.

In closing I would like to deal briefly with French-language services in Ontario. Is it not ironic that again right in the middle of the last provincial election there was a big press conference in Ottawa East? Members should understand that they are trying to help Omer out. Things are not going well; they have to give the man a higher profile. So Omer came in with, I

think, Mr. Brunelle, the former Provincial Secretary for Resources Development, and they had a big press conference in the riding of Ottawa East. They said: "We are going to have a committee to do an inventory of French-language services in Ontario. We are not fooling around. This will be something big and thorough." They tried to give it as high a profile as possible.

I did not object to that, because I proposed the same thing in a bill I put in this House in 1978. The government has done, word for word, what I proposed in 1978. In any event, I am magnanimous about those things. Fine.

So they reported back in December, and I think the report did not come forward until some time in April or June.

Mr. Boudria: In the fulness of time.

Mr. Roy: Yes. Those are their own people; they are not those wild-eyed francophones who are Liberals in Ontario. I mean, these are their own people: responsible. They say, "What the minister needs is legislation, something like Bill 89," which I suggested.

Mr. Boudria: Sounds familiar.

Mr. Roy: Yes. That is what they say. They say, "You need that." In fact, your co-ordinators are going to have an impossible task. The civil servants do not know what services they have to provide because there is no legislation. The Franco-Ontarians do not know what services they can demand because there is no legislation.

5:50 p.m.

You can understand, Mr. Chairman, being so astute in legislation, legalistics and law, that the most effective way of getting some response if they ask for it and someone says, "You can't have it," is to say: "The law is right here. I can get it." If there is none of that, then someone can say: "Maybe you can come back tomorrow. We may have somebody here tomorrow. Or if I feel like it, in an hour we will give you French-language services. Today my jaw is sore so I do not feel like speaking French. My course is tough on me and I do not feel like saying a few words in French today."

They pointed out that was the deficiency of the process, that one needs legislation. I ask the minister, what he is waiting for before accepting their recommendations?

More important, this summer I got some scuttlebutt; this is stuff I was able to obtain from a brown envelope. Can the members believe that? Of all people, I got a brown envelope and I am not even a radical. There was a big policy conference around August. All the Tories got together at some inn and had a big policy conference. I do not know if the chairman was invited because it was pretty important stuff.

Mr. Chairman: That is why they do not invite me.

Mr. Roy: At this policy conference there was a policy paper put forward on French-language services. It said: "We are in a position now to have legislation. If you had a bill like Bill 89 in Ontario"—the bill I suggested—"Ontario would accept it." Those are civil servants or bluish civil servants saying this to Tories. I am sure the minister will remember this. They said, "If you proceed with this legislation they will not burn down the province, there will be no one attacking the barricades, life will continue," and so on.

A story was written on it. This confidential paper was presented in Sault Ste. Marie. It said, "You should move with this legislation before Roy gets going with his own bill." That is a civil servant saying: "Albert Roy has legislation of his own on it. You should move with yours before he gets going and before he gets the credit for it. Here is your chance to do it."

The government's own staff was saying: "It is acceptable to Ontario. We have the mechanism now to accept the legislation. The politics are right." What are you waiting for?

I wish I had a longer neck to see the scuttlebutt going on under the gallery. In any event, there it is. I intend later to ask the minister and the Premier, why do you not take the advice of your own people? What are you afraid of in legislation? What is the concern?

I will give the government a commitment now. My colleagues here will control the rednecks in our party if you proceed with legislation. We will control the rednecks in the New Democratic Party. We will keep them under control. Is it not cynical they do not even accept their own advice?

There are two other areas which I think are the minister's responsibility. First, the Languages of Instruction Commission of Ontario has—

Mr. Laughren: Oh, go talk to your leader, Albert.

Mr. Roy: I hear the New Democrats barking. Are the fleas getting the best of you, Floyd? What is bothering you, the fleas? Something is hurting, I can hear you barking. I would like to know what it is because I would like to respond.

I want to say to the minister that in his role as co-ordinator and initiator of French-language services he is going to have to start looking at areas like Iroquois Falls and Mattawa.

Mr. Laughren: Yes, we want the minister to sit down with David Peterson and work this problem out.

Mr. Roy: What is he talking about, Dave Peterson? No one is more committed in that area than my leader. My God, I would put my leader's record against yours any time. Where is your leader? Whichever leader you get, we will put my leader's record against his any time.

I say to the minister, in the face of continuous refusal on the part of school boards to accept the languages of instruction commission recommendations—and I am glad the Minister of Education (Miss Stephenson) is here because it is obviously her responsibility—the province cannot stand idly by and the French-language community of Ontario will not stand idly by. If they do not take any initiative to see to it that the provisions of the charter which you brought forward, the provisions of minority language education, are followed, then it is your responsibility to see to it that school boards accept their responsibility.

If you do not do it, the courts will. They are not going to wait 10 or 12 years. The courts will intervene. The community will not sit back and wait another 10 or 12 years. I would like to know what the minister is doing, as the responsible minister in this area, to see to it that the provisions of the charter are followed.

I could go on at some length to express the frustration of the community. All I have to say is that even people like your friend Giselle Lalonde who was an unsuccessful Conservative candidate in—which election was Giselle in? I have a hard time following them all. It was in 1977. As a committed Franco-Ontarian, even Giselle has had it with these birds. She said, "That is it, no more co-operation."

There was a piece about her just recently in the Ottawa paper. She said, "I am going to meet my good friend Tom Wells to see if we can straighten this thing out." They are good friends. Tom came down to Ottawa to her nominating convention. Remember that? It was a good do, was it not? I bet you thought she would do better than that in Ottawa East when you saw all the bodies around, the parade, the balloons and the whole bit.

Anyway, Giselle says no more co-operation with you people. She says you have backtracked on your commitment and you are not following your so-called policy declarations. Even people as moderate as my friend Rhéal Paquette, who sits on the languages of instruction commission, says the commission requires more teeth. That is something I was saying back in 1972.

I hope to have the opportunity to expound further on this issue of French-language services and the responsibility of this ministry, but I am sure at this time you wish me to adjourn the debate because of the clock.

On motion by Hon. Mr. Wells, the committee of supply reported certain resolutions.

The House adjourned at 6 p.m.

ERRATUM

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Ontario

No. 140

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Official Report (Hansard)



Second Session, Thirty-Second Parliament
Tuesday, November 9, 1982
Afternoon Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Tuesday, November 9, 1982

The House met at 2 p.m.

Prayers.

ANNIVERSARY OF SOLIDARITY

Mr. Shymko: Mr. Speaker, Canadians of Polish origin will be marking tomorrow, November 10, the first anniversary of the official recognition of the historic free trade union movement in eastern Europe, namely Solidarity.

I would like to join Canadians of Polish origin in highlighting the historic moment which, after a brief period of hope, unfortunately ended in tragedy on December 13 of last year.

The symbol of Solidarity and of the freedom of workers to be able to voice their concerns and defend their rights in a free trade union was a light of hope to many workers in eastern Europe and throughout the world. I ask the members to join tomorrow with Canadians of Polish origin who will be marking that anniversary in their respective communities.

Mr. Newman: Mr. Speaker, as one whose father came from that land which has been oppressed for years I would like, on behalf of the Liberal Party, to associate ourselves with the comments made by the previous speaker.

Mr. Foulds: Mr. Speaker, I rise to echo in some sense the remarks of the member for High Park-Swansea for two reasons. In my own community of Thunder Bay there is a thriving and vigorous Polish community. Through my personal association with many members of that community, I know how strongly they feel about the symbol of freedom and liberty the trade union movement in Poland represents for them.

The trade union movement the world over suggests that symbol of freedom and liberty. The right of free association is a right that has been won dearly and at very great cost by members of the trade union movement. Unfortunately, it has been won briefly at very dear cost by the members of the trade union movement in Poland. However, because of the spirit of liberty and freedom the Polish people themselves and the people in the trade union movement have, I am confident that flame of freedom will be relit in Poland.

NUCLEAR DISARMAMENT REFERENDUM

Mr. Epp: Mr. Speaker, on a point of privilege: Yesterday was election day in municipalities in Ontario. Of the over 800 municipalities that held elections, 79 had referendums on nuclear disarmament. Of those 79, there was a 76 per cent support in Ontario for nuclear disarmament.

I want to take this opportunity to thank the members of this Legislature on both sides of the House for their support of my private member's bill which I introduced last June and which was supported on second reading. I think that in itself helped many municipalities which had the nuclear referendum.

Mr. Speaker: I must rule that was hardly a point of order, but it was interesting.

Mr. R. F. Johnston: Mr. Speaker, given the overwhelming response to that referendum, I would ask the House leader of the governing party and the House leaders of the other two parties whether this might not be an appropriate time for this House to pass a unanimous resolution in support and endorsement of the referendum at the municipal level to put extra pressure on our federal government to act.

CLOSURE OF FACILITIES FOR THE MENTALLY RETARDED

Mr. Boudria: Mr. Speaker, on a point of privilege: In reply to a question I asked yesterday of the Provincial Secretary for Social Development (Mrs. Birch), I believe she was factually incorrect when she indicated to the House that consultation had gone on between her government and the associations for the mentally retarded in Ontario with regard to the closure of six different institutions. We have consulted with all associations and that is not the case.

Mr. Speaker: Order. I must point out to the honourable member, as I have pointed out before, that first of all you are out of order, and second, you can rise to correct any statements you have made but you must not correct statements other people have made, although you can request that somebody else rise to correct a statement during question period.

2:10 p.m.

COLOURED FUEL PROGRAM

Mr. Riddell: On a point of privilege, Mr. Speaker: Would the Minister of Revenue (Mr. Ashe) then correct the statement he made in the House when I raised the question of coloured fuel?

Mr. Speaker: I just dealt with that. This must be brought up during question period.

Mr. Riddell: He inadvertently misled the House, and I think he has to correct it.

Hon. Mr. Ashe: That is your opinion.

Mr. Speaker: Order. I am sure the member for Huron-Middlesex will want to withdraw that statement.

Mr. Riddell: He did. The minister told the farmers they were wrong, and they are right. They are having trouble with coloured fuel in their filters—

Mr. Speaker: If the member for Huron-Middlesex would just listen to what I am going to say, I am going to have to ask you to withdraw that remark.

Mr. Riddell: I just said "inadvertently misled." If there is something wrong with that, I withdraw it.

Mr. Speaker: Thank you.

Mr. R. F. Johnston: Mr. Speaker, on a point of order: I have been given to understand that the member for Yorkview (Mr. Spensieri) would like to make a statement at this time.

Mr. Speaker: I doubt that.

Hon. Mr. Walker: I think I would be interested in that statement.

STATEMENT BY THE MINISTRY

EXPORT SEMINARS

Hon. Mr. Walker: Mr. Speaker, I would like to advise members of a major campaign being launched by my ministry to increase the export of Ontario manufactured goods to world markets.

This campaign has two aspects. The first involves seminars in 30 communities throughout the province to demonstrate how small and medium-sized manufacturers can increase their sales and profits by exporting. These seminars are already under way and will be completed early next year.

Each seminar involves federal and provincial trade experts and business consultants sitting down with local manufacturers to discuss such matters as developing an export marketing plan, financing, market research and analysis, and federal and provincial assistance programs.

This is the first time we have had so many how-to-export seminars in such a short period of time. The intensity of this joint federal-provincial effort reflects our commitment to reaching as many firms as possible with hard-nosed guidance on how they can sell their products by thinking of the world as their marketplace.

We expect to assist 20 or 30 firms at each seminar. In most cases the seminars will last about a day. However, our specialists will remain in any city for as long as it takes to ensure that every interested firm receives practical help.

In addition to the seminars, a second aspect of our trade push involves export forums in five key regional centres for a wide variety of manufacturers who have good potential for achieving rapid gains in export sales. These firms already have exporting experience and are keen to tackle new markets or are ready to make a credible first foray into the international arena.

Under the theme, Export: Your Route to Profit, more than 800 hand-picked firms will participate in these export forums, scheduled to take place in London and Windsor this week and Kingston, Hamilton and North Bay next week.

Perhaps I could note a few significant points about these export forums.

First, each forum will offer five workshops dealing with market opportunities in five trading areas: the United States, Africa and the Middle East, Asia and the Pacific Rim, Europe, and Latin America and the Caribbean.

Second, while the forums have been arranged by my ministry, federal officials will chair the workshops and provide advice. We appreciate that federal participation.

Third, the senior representatives from the foreign offices of the Ministry of Industry and Trade have all been called home to provide manufacturers with current data on sales leads in their marketing areas, whether it be Atlanta, Chicago, Dallas, New York, Los Angeles, London, Paris, Brussels, Frankfurt, Tokyo or Hong Kong.

In this respect, the foreign representatives and the directors of our 18 regional offices throughout the province provide Ontario industries with an extraordinary network of information and advice. These operations will be integrated and co-ordinated and will represent a focal point for our overall efforts to expand Ontario's export position.

Fourth, manufacturers will be able to sit

down with our experts for one-on-one consultations on such matters as product distribution, joint ventures, licensing arrangements and overseas investment opportunities.

Thus, in total, manufacturers attending the forums will be able to pick the brains, if I can use that cliché, of federal and provincial experts who have firsthand knowledge of specific world markets. I attach great importance to the success of these five regional export forums and I will attend each of them personally to discuss Ontario's trade strategy with participants.

Finally, I would like to stress that these seminars and forums for manufacturers are but one phase of a new trade strategy that I will be reviewing with business and industry in the coming weeks. We have selected small and medium-sized manufacturers as a priority for immediate attention, because our international competitive position and the expansion of trade are crucial to the creation of jobs in Ontario and to our overall economic recovery.

As I reported to members of this House on a previous occasion, we have established for Ontario a goal to double our exports to $60 billion by 1987. While I will elaborate on this in the weeks to come, the major campaign on which we are now embarking to help Ontario manufacturers to be aggressive and successful in the export market is a substantive step in achieving that goal.

ORAL QUESTIONS

HYDRO PLANT EMISSIONS

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Energy with respect to the scrubber program for Ontario Hydro.

I just want to take the minister through a little of the chronology. On January 26, 1981, at a press conference, Mr. Macaulay said: "The most significant component in our program will be the design and construction of two sulphur dioxide scrubbers by 1987. It will be a first for Canada, I might add."

Speaking to the Ontario Municipal Electric Association, he said: "Scrubbers are a valuable control device. In fact, Ontario Hydro will be building two of them."

The throne speech of March 9, 1982, said, "These steps will include designing and retrofitting scrubbers."

Now we find that his scrubber program has been scrubbed or postponed indefinitely. Why is the minister giving up on this major commitment to environmental cleanup?

Hon. Mr. Welch: Mr. Speaker, I think it is very unfair for the Leader of the Opposition to attempt to cloud this particular issue. The issue is with respect to emissions. The commitment of Hydro is to reduce them by 50 per cent according to the timetable that we have already enunciated in this House.

The chairman of Hydro has made it quite clear that Hydro will meet that commitment; and indeed, as to when it may be necessary, to construct whatever has to be done in order to comply with that. In the meantime, there could well be a combination of matters. It is important to assure the people of this province and of the North American continent that Ontario Hydro, as a responsible utility, will meet its objective with respect to acid rain emissions.

Mr. Peterson: If what the minister is saying is the case, he is telling me that Mr. Macaulay is telling a lie. That is what he is telling me. That is not what Mr. Macaulay has said. He and the minister have promised scrubbers as part of their commitment to the environment.

The minister's hypocrisy on the matter has had an impact not only here but in the United States. Now he stands and bold-facedly changes his government's position again. Our colleagues in the United States are very concerned about our lack of credibility in this issue.

Mr. Speaker: Supplementary, please.

Mr. Peterson: Is the minister aware that Congressman Rahall of the House of Representatives in the United States was quoted in a Congressional Record as saying: "Earlier this week, Ontario Hydro announced that it is going to shelve plans to install acid rain controls on its plants in Ontario. This information, in my mind, undermines the concerns of the Canadians over the impact of acid rain."

Does the minister not think his conduct is going to further deteriorate our relationship with the United States in this matter?

Hon. Mr. Welch: The statement the Leader of the Opposition quoted did not use the words scrubbers. It talked about controls. I invite him to reread that. I would also point out that I would hardly feel that people from the United States of America are very pure on this particular subject in view of articles that have been in the papers recently as to how they are going to settle the General Public Utilities matter.

2:20 p.m.

The question remains that Hydro will meet its commitment; it is a matter of timing. Whatever has to be done for it to meet its commitments

will be done. The member knows this, and that is the way the matter rests.

Mr. Foulds: Mr. Speaker, are the minister and Mr. Macaulay not simply playing with words and weaseling out of a commitment they gave to the people of Ontario to substantially reduce acid rain fallout in this province by government actions? What is the minister going to do to initiate action in this province so that Ontario Hydro does not remain one of the largest polluters in acid rain in this province?

Hon. Mr. Welch: Mr. Speaker, I am not at all suggesting that we are attempting to renege on any commitments. The commitment stands. I say to the member, show me a public utility on this continent that has voluntarily subjected itself to such stringent controls as Ontario Hydro has with respect to acid rain. That commitment stands. To suggest otherwise is to mislead the people.

Mr. Kerrio: Mr. Speaker, the minister is aware of the fact that in this House the expression often used, having to do with many subjects such as this, is that justice not only has to be done but also must be seen to be done.

Does the minister not think in this instance, when we promised the people in the United States, at seminars in Chicago and in Buffalo, at every place where we met our friends who were as concerned about acid rain as we were, that scrubbers were going to be installed on a specific station, that they have good reason to lose faith in his whole program the minute that was not done?

Hon. Mr. Welch: Mr. Speaker, I remind my friend the member for Niagara Falls that the goal or the end is the important consideration with respect to the promise. The honourable member gets preoccupied with the means to accomplish that goal. The promise or commitment made to the people of this province, and indeed to anyone who would pay attention, was the reduction of those emissions by 50 per cent. That is exactly what we will do, and the rest is a matter of timetable.

FREEDOM OF INFORMATION

Mr. Peterson: Mr. Speaker, I have a question of the minister in charge of freedom of information and protection of privacy.

The minister's predecessor in that office asked the Management Board of Cabinet to review some of the Williams commission recommendations concerning the protection of individual privacy to determine which recommendations were practical regarding data collection and storage practices and various other practices of this government. His predecessor said at the time that the object was to provide even greater protection of personal information collected by government about an individual.

Can the minister tell us what recommendations have been adopted by his government in the past two years?

Mr. Laughren: Tell him it's classified, Norm.

Mr. T. P. Reid: It's a secret; that's secret information.

Hon. Mr. Sterling: Mr. Speaker, in a more serious tone, because this is a very serious subject, the recommendations about the confidentiality of individuals' records as they relate to our government are contained in the package that is currently being considered by the cabinet. In terms of what the policy proposal actually is, we will have to wait for cabinet approval.

Mr. Peterson: If the minister is concerned about greater protection of privacy and personal information, and I gather he is, can he please tell me whether the Ministry of Health is still doing today as it did in June, maintaining its files on venereal disease for the 80,000 or so patients affected until their 80th birthday or until one year after their death?

Can he also tell me whether the Ministry of Citizenship and Culture is still doing today as it was doing in June, collecting data such as character, reputation, family details, income, assets, liabilities, tax information and personal references on the 2,000 or so individuals who have donated to the Ontario Heritage Foundation?

Can the minister tell me if it is still the practice of the Solicitor General, as it was in June, to put the name of any person who registers a complaint against the Ontario Provincial Police into a computer tape and disc data bank which includes information about that person's medical history, aptitudes, attitudes, character and mode of living? Are those practices still going on?

Hon. Mr. Sterling: I am extremely surprised this question has not arisen in this House for a period of about 11 months. I produced in this Legislature on, I believe, December 16 of last year a record of all the personal data banks held by this government. That document described the three personal data banks the Leader of the Opposition has outlined.

I contacted each of the ministers in relation to each of those three data banks. I believe each one has altered its method of collecting information, and the requirement for that information. As I am not responsible for those data banks, I suggest to the Leader of the Opposition he refer each of those questions to each of those ministers because they are responsible for them. I am told by each of those ministers that—

Mr. Bradley: You're the guy in charge overall.

Mr. Swart: Do you speak for the government?

Mr. Peterson: You're the superminister, aren't you?

Mr. Nixon: I thought you were a superminister.

Mr. Speaker: Order.

Hon. Mr. Sterling: The people of Carleton-Grenville think that anyway and that is where it counts.

I am absolutely amazed it has taken the member this long to be that sensitive to these very important records. My other ministers are very aware of these records and they have changed some of their requirements in these areas. If the member would like to ask those other ministers questions about those records, he may do so because they have already indicated to me there has been some alteration in the data banks he has mentioned today.

Mr. Stokes: Mr. Speaker, does the minister responsible for bringing in a freedom of information act agree with sessional paper 215 introduced in this House by his predecessor, the member for Cochrane South (Mr. Pope), wherein he quoted a set of guidelines laid down by the Premier (Mr. Davis) to all the ministries saying that, pending a freedom of information act, the disposition of this government will be for freedom of information and openness of government, particularly as it affects or involves dealing with the public, the press and members of the Legislative Assembly?

If he remembers those things, if he agrees with them and if the Premier's word is still good, why is he not bringing in an act covering the guidelines laid down by the Premier over two years ago?

Hon. Mr. Sterling: Mr. Speaker, I have no problem agreeing with my predecessor's paper. As I have indicated to this Legislature on many other occasions, the policy in terms of the freedom of information and privacy law is before the cabinet to decide on a few final issues. The interest by the public and the interest by the opposition has been less than desirable from my point of view. I have heard few questions from the members on that aspect. I wonder how important it is to them. It is very important to me.

Mr. Stokes: That is not so.

Mr. Speaker: Order.

Hon. Mr. Sterling: The member's interim leader said to me that I lost my greatest friend in Donald MacDonald when he resigned from this Legislature.

I do not know if there is any interest in us bringing forward an access to information law at this point. I have an interest in it and the cabinet has an interest in it. It is an extremely difficult subject and I am attempting in every way to meet that objective. I believe our government at this point is very open; much information is free.

Mr. Stokes: Tell MacAlpine that.

Mr. Speaker: Never mind the interjections, please.

2:30 p.m.

Hon. Mr. Sterling: I point to the leadoff question of the Leader of the Opposition to me in relation to the personal data index, which I produced last December. It has taken 11 months from the time I produced the information and tabled it here in the Legislature for us to receive a question on that personal index data bank. Maybe we are providing too much information for them to consume.

I hope to be able to produce a piece of legislation, as I have indicated before and as the Premier has indicated, before this session terminates.

Mr. Breithaupt: Mr. Speaker, since I was able to produce a bill even though the minister seems to be unable to do so, can we be assured that by December 17, the first anniversary of the tabling of that index, he will be able to answer the question as to which of the ministries has attended to those areas as he has suggested we should ask each of the ministers now? This becomes more important when we are told that the government cannot even answer the rather simple questions that are on the Order Paper; so there is certainly no point in putting on another 50 or 60.

Will the minister make a statement at least on the anniversary date of December 17, if not before, to tell us what progress has been made? We then could be assured that not only the

recommendations by the Williams commission but also the other areas of interest that have been clearly shown over this past year finally will be honoured by his government.

Hon. Mr. Sterling: Mr. Speaker, if the honourable member will clarify what information he is seeking, I will make every effort I can to provide that information by December 17. Is it information relating to his leader's question as to those three data banks? Exactly what information is he seeking? I will be pleased to try to provide that for him.

JOB CREATION

Mr. Foulds: Mr. Speaker, I have a question for the Treasurer if I can interrupt his discussion with his latest economic consultant.

Mr. R. F. Johnston: The page is giving him the first good advice he's had.

Mr. Foulds: It is the first good advice he has had in many months.

Does the Treasurer realize that if he is to meet the projection in his budget that there would be a net gain of 125,000 new jobs over the level at budget time, he needs to create 261,000 jobs between now and the end of December? Is he going to meet that target, and how is he going to meet it?

Hon. F. S. Miller: Mr. Speaker, before answering the honourable member and since he drew attention to the source of my economic advice, I want to point out that I find the intelligence of the advice I get from the younger people sitting around here a refreshing change from the noise I get from the opposition over there.

Mr. Martel: You understand them at that level.

Hon. F. S. Miller: Yes, I understand them at that level. They understand me at that level. But somehow the member peaked and went downhill after that age.

Mr. Speaker: Now to the question, please.

Mr. Foulds: Frank, their answers are better than yours.

Hon. F. S. Miller: Their questions are better than those of the member too.

Mr. Stokes: What are they asking about? The seven per cent sales tax?

Hon. F. S. Miller: I was getting a lesson in geography when the interruption came along and disturbed my otherwise pleasant afternoon.

The answer is no, I am not going to.

Mr. Foulds: As the Treasurer now admits that he is not going to meet the target projected in his budget and as there have been 142,000 jobs lost since his budget—11,000 in the agricultural sector, 10,000 in other primary sectors, 47,000 in manufacturing, 6,000 in construction, 7,000 in transportation and communications, 9,000 in the wholesale and retail sector, 17,000 in finance, insurance and real estate, and 35,000 in the service sector—does he plan to bring in some kind of economic budget, some concrete proposals, between now and Christmas? Or does he simply plan to let unemployment take its toll on Ontario citizens this winter?

Hon. F. S. Miller: The question had two alternatives. The answer to one of them would be no, I do not plan to bring in a budget. To the second part, as to whether I intend to take any measures before Christmas, I think the answer would be yes. It would depend to some degree on the speed with which we resolve the discussions with Mr. Axworthy—

An hon. member: Pass the buck.

Hon. F. S. Miller: Just a second. The members opposite do not like to see two levels of government working together to solve a common problem, do they? They do not like to believe that we should work together as Canadians to try to solve Canadian problems when they are as grave as they are.

In my budget, this province has done more to create jobs than any other government around us. The members opposite do not ever like to admit to that. Sure, things are bad. The fact is that the measures we took have created jobs this year. They have had 7,900 people send in applications for interest-free loans on new houses. They have seen work with section 38 of the Unemployment Insurance Act through northern Ontario, some 4,000 jobs. They have seen jobs on the highways and in the schools and universities in this province because of the $170 million we have spent in the budget.

We did all those things. We say they are not enough. We expect to know within a day or so how much the federal government is giving us. I do not know whether it will be $100 million, $125 million or the $200 million I think is fair. Once I know that, I will be able to respond.

Mr. Kerrio: Mr. Speaker, in his conversation with Mr. Axworthy, where he said they were going to talk with some of the top economists across the country, did the Treasurer possibly make the suggestion that they should incorpo-

rate people from business, the trade unions and other sectors who might well give a great deal of input into providing jobs in Ontario and in Canada?

Hon. F. S. Miller: Mr. Speaker, I am trying to think what Mr. Axworthy's comments were at his meeting. There were three meetings on the economic front: the one with Mr. Lalonde, the one with Mr. Johnston and the one with Mr. Axworthy. Mr. Axworthy's comments were designed mainly to deal with the problems of the unemployed whose benefits either have expired or are about to expire. I do not recall Mr. Axworthy having mentioned economic advisers; I recall Mr. Lalonde requiring some economic advisers, but I stand to be corrected.

I suggest to the honourable member that, sure, you should have that mix. In our case in Ontario, starting in 1977 or 1978, the Premier (Mr. Davis) formed a committee much like the one the member is talking about. It meets about every three months and is made up of about 40 or 50 members almost equally divided among industry, unions and academics. I think it has been a very useful committee, and I would suggest to the federal government that the model we have used for these five years has worked, even if all it does at times is to allow us to hear each other's problems freely expressed in a room where no one is lobbying for press. From that we have got guidance and advice that have been useful to us.

Mr. Foulds: I want to yank the Treasurer back to the problem of creating jobs now before Christmas and before winter unemployment takes its toll.

Is he saying that he is entirely dependent on the federal government for any initiatives he might take? If so, does he not remember saying in his budget, "Since the federal government has failed to respond with a decisive and comprehensive set of programs, the government of Ontario has decided to implement new job creation initiatives of its own"?

Does the Treasurer not think this still applies in that, even if he gets the maximum amount of money that he is hoping to get from the federal government, he will be able to create only 1,333 short-term jobs a month, when the number of exhaustees alone coming off the unemployment insurance rolls will be something between 10,000 and 17,000? What kind of job creation program is that?

Hon. F. S. Miller: The member loves to play with figures and to be precise. One thousand, three hundred and thirty-three; that is total baloney.

First of all, there is not enough money in any government treasury to put all the people back to work, and we have consistently said that. All we can do is attack parts of the problem, and the only way back is restoration—

Mr. Foulds: How about housing?

Hon. F. S. Miller: I am glad the member brought up housing. We have done more—

Mr. Foulds: How about municipal public works?

Mr. Speaker: Order.

Mr. Foulds: How about food processing?

Hon. F. S. Miller: The member should just sit still and be quiet. I sit through his perorations here when he is allegedly asking a question. It is diarrhoea when he stands up to ask a question.

Mr. Foulds: I think that's unparliamentary.

Mr. Nixon: Why? That's a good word.

Hon. F. S. Miller: Verbal diarrhoea.

2:40 p.m.

Mr. Speaker: Now back to the question, please.

Interjection.

Hon. F. S. Miller: Now that the members have brought up the housing side, last month we had the seventh best sales volume of houses in the history—

Mr. Foulds: How much new construction?

Mr. Speaker: Never mind the interjections, please.

Hon. F. S. Miller: Look, the member cannot listen and talk. The seventh—

Mr. T. P. Reid: Mr. Speaker, on a point of order: I would like to hear the Treasurer even if the man who asked the question would not. I am getting tired of his rudeness in not listening to the answer.

Mr. Speaker: That was a very good point indeed.

Hon. F. S. Miller: I would hate to say it takes one to catch one, but I thank the honourable member. They have put me off my track.

That seventh best month in sales history, which we and the industry believe will be

repeated in November and with some luck in December, was the result of two programs: our program of the $5,000 interest-free loan for 10 years on new houses and the federal government's $3,000 grant on existing or new houses as the case may be for first-time home owners—

Mr. Bradley: Let's do some fed-bashing.

Hon. F. S. Miller: I am not doing any fed-bashing. I do not want to do any. I am trying very hard now to say that even though the members opposite love to bash the federal Liberals—

Mr. Speaker: Never mind the interjections, please.

Hon. F. S. Miller: —even though they love to say they are a millstone around their necks, even though they say no Liberal in Canada could win an election anywhere right now as long as Pierre Trudeau is the leader—I know members have said all those things on that side of the House—

Mr. Speaker: Back to the question, please.

Mr. R. F. Johnston: Mr. Speaker, on a point of order: With all this noise, the member for Rainy River (Mr. T. P. Reid) cannot hear. Would the Treasurer continue?

Hon. F. S. Miller: We have estimated that each new home created has some 3.2 years of employment in it. The last figure I saw was that we had received just about 8,000 of the predicted 15,000 applications for new homes. We believe we will see an acceleration on those. We believe we are going to see housing starts pick up, because the existing stock is running down quickly and we will see jobs in those houses through the winter. Therefore, this will be reflected to some degree in all the supply industries for houses.

I do not have the same kind of optimism in terms of base metals. I think it would be unrealistic for me to say anything is going to help with the sale of Inco's nickel until perhaps some of the nations of the world who practise socialist philosophies stop dumping nickel at any price on the market.

Mr. Foulds: Mr. Speaker, my understanding is that there were already signed contracts.

ARK EDEN NURSING HOME

Mr. Foulds: Mr. Speaker, I want to ask the Minister of Labour a question. Does he believe that arbitrators should be taking Bill 179 into account in the awards they make, having had those disputes submitted to them substantially before the introduction of Bill 179, let alone before final passage?

Hon. Mr. Ramsay: Mr. Speaker, I am wondering whether the honourable member is referring to a letter from the Ontario Nurses' Association. Is that the matter?

Mr. Foulds: I do not have it. Maybe the minister does. We will take a copy of that one.

Hon. Mr. Ramsay: All right. I am not aware of the context in which the question is being asked.

Mr. Foulds: Is the minister aware of the decision made by the arbitrator in the dispute on the Ark Eden Nursing Home? Is he aware that when questioned about it and about similar kinds of contracts in the past, he said he did not expect the people would be able to live on the wages they were receiving under those previous agreements? It is obvious that the arbitration award has taken Bill 179 into account. Did he send any instructions to the effect that they should? Does he not think the arbitrators should consider the dispute that is before them rather than any legislation that might or might not be passed?

Hon. Mr. Ramsay: I did not send in any instructions whatsoever to the arbitrators.

Mr. Foulds: Will the minister send instructions through his ministry that arbitrators are to consider only the dispute that is before them and not to take into account any legislation that is currently before the House?

Even with the award that has been granted, does he not think that as Minister of Labour he would have to agree with the dissenting opinion of Stan De Jong: "It would be ludicrous now to suggest that the effect or likely effect of Bill 179 is to undo to a great extent all that has been laboriously accomplished, and to end up with wages that not only show a one- to two-year gap with the prevailing rate"—which is what the union had been asking; still a gap—"but show a far greater disparity"?

Hon. Mr. Ramsay: In the case the member is referring to, it is my understanding they are going to be appealing that decision to the new board that is being set up under the restraint program.

METROPOLITAN TORONTO POLICE PRACTICES

Mr. Roy: Mr. Speaker, I have a question of my friend the Attorney General. Understanding the wide publicity that is being received in the Proverbs trial and the serious allegations that have been made during the course of the

evidence about a variety of individuals, including himself, whatever possessed him, as chief officer of the crown, to make public comments during the course of a jury trial about the evidence and the background of the accused?

Does he not feel, as chief officer of the crown, that he owes an explanation, and certainly an apology, to this House, to the courts and to the jury about this action, which could affect the outcome of due process in this case?

Mr. Renwick: Mr. Speaker, on a point of order: It is with some reluctance that I rise on a point of order related to this matter. It does appear to me, sir, that you should consider disallowing that question for two reasons, the first of which is that it offends the rule of the House with respect to the prejudice of matters in proceedings before the court.

Second, if any action is to be taken to discipline the Attorney General with respect to the unfortunate remarks that he made outside the House, that lies within the purview of the presiding judge of the Court of Appeal, should the case go that far.

I base my opinion on rule of the House 19(d)(7), the relevant portion of which reads: "In debate, a member shall be called to order by the Speaker if he . . . refers to any matter that is the subject of a proceeding that is pending in a court or before a judge for judicial determination . . . where it is shown to the satisfaction of the Speaker that further reference would create a real and substantial danger of prejudice to the proceeding."

Mr. Roy: Mr. Speaker, on that point of order, if I may: In normal times the member for Riverdale may well have a good point of order based on what is commonly referred to as the sub judice rule. But in this particular case, I remind the Speaker, the Attorney General has repeatedly made comments outside the House. In fact, there was a discussion in the House yesterday between the Leader of the Opposition (Mr. Peterson) and the Premier (Mr. Davis) about this very issue, during which the Attorney General was present.

If the Speaker will recall, under the rule of sub judice there was a decision made by his predecessor in the chair at which time it was decided that this rule should be invoked by the minister himself and not necessarily by the chair. I think that ruling said that it was not the function of the chair to rule a question out of order on that principle but that it was up to the minister involved to invoke the rule if justified.

Hon. Mr. McMurtry: Mr. Speaker, may I be heard briefly?

Mr. Speaker: Is this on the same point of order and not on the question?

Hon. Mr. McMurtry: Yes. I do not intend to pursue the matter. I agree to some extent with what the member for Riverdale has said. I am not going to debate today, in any event, whether I agree with the characterization of anything I have said outside the House as being an unfortunate remark. I am not going to get into that sort of debate today. If anybody owes an apology to the House and to the courts, it is the Leader of the Opposition for attempting to inject a partisan political controversy in the midst of a trial. That happens to be the fact.

2:50 p.m.

Mr. Renwick: On a point of order, Mr. Speaker: Need I repeat the point that I raised—

Mr. Peterson: On a point of privilege, Mr. Speaker: I understand a point of privilege takes precedence over a point of order, does it not?

Mr. Speaker: I do not believe it does.

Mr. Peterson: Check your rules, Mr. Speaker.

Mr. Speaker: Just half a second. May I ask you both to resume to your seats?

Mr. Peterson: Would you like to take a moment to check?

Mr. Speaker: I will. If it is privilege, it does indeed take precedence.

Mr. Peterson: Mr. Speaker, it is indeed a point of privilege. I understand the Attorney General has just said I owe this House an apology because I have interjected a partisan note. I want you to know that I reject that categorically. I believe the Attorney General, who has shown absolutely irresponsible behaviour in this matter, is trying to deflect that responsibility—

Mr. Speaker: Order. I ask the Leader of the Opposition to resume his seat, please.

Mr. Peterson: It is absolutely outrageous, Mr. Speaker. You allowed the Attorney General to stand up, the chief law officer of the crown, who knows less about the law—

Interjections.

Mr. Speaker: The Leader of the Opposition will resume his seat, please.

Mr. Ruston: The Attorney General should resign.

Mr. Peterson: He should resign.

Interjections.

Mr. Speaker: Order.

Mr. Renwick: Mr. Speaker, it was precisely to avoid what took place in the House that I asked you to consider under the rules of the House whether the question of the member for Ottawa East should be disallowed.

Whatever may have been the propriety of the Leader of the Opposition raising yesterday the question of what the Attorney General said outside the House at the end of last week, to pursue the matter further will prejudice the trial which is currently proceeding in the court. In addition to that, as a matter of the rules of procedure of the assembly, we cannot deal with the Attorney General in any way. The matter will be dealt with by the presiding judge in that proceeding should he see fit to do so, or by the Court of Appeal on appeal.

Mr. Nixon: Mr. Speaker, surely the Attorney General is primarily responsible to this House before he is responsible to a court. The matter was already raised in the House yesterday. My colleague the member for Ottawa East is pursuing it, the Attorney General is in his place, and he often uses the defence of sub judice himself but he did not choose to do so. Surely he has the prime responsibility to respond in this House to a question properly put.

Mr. Speaker: Obviously the question before the House is whether it is in order or not. I thank the member for Riverdale for calling this to my attention. I direct the attention of all honourable members to standing order 19(d)(7), and I quote directly:

"In debate, a member shall be called to order by the Speaker if he . . . refers to any matter that is the subject of a proceeding (i) that is pending in a court or before a judge for judicial determination, or (ii) that is before any quasi-judicial body constituted by the House or by or under the authority of an act of the Legislature. . ."

I therefore must disallow—

Mr. Roy: Mr. Speaker, just read on in the section; it goes on to say, " . . . where it is shown to the satisfaction of the Speaker that further"—

Ms. Copps: You have to read the whole thing.

Mr. Speaker: All right; that is fine:

" . . . where it is shown to the satisfaction of the Speaker that further reference would create a real and substantial danger of prejudice to the proceeding."

Now, it is my judgement to make. I so make that judgement, and I disallow the question.

Mr. Roy: Mr. Speaker, on a point of order: Please explain to those of us who have some difficulty understanding your ruling how it is, therefore, that the Attorney General is allowed to comment inside and outside the House on this very basis and, second, that you allowed questions yesterday to the—

Mr. Speaker: No, I did not.

Mr. Roy: There were questions yesterday to the Premier by the Leader of the Opposition on this very topic.

In making your ruling, I would like you to consider the comments that have been made on this very matter by the Attorney General going back to September 7, when the preliminary hearing had finished and the trial had not started. In fact, just last Thursday, November 4, the Attorney General apparently spoke outside the House to the press and commented publicly on these proceedings.

These circumstances are the reason. I do not want to get into the evidence any further; I just want an explanation and some reason from the chief officer of the crown why he would comment during the course of the trial.

Mr. Speaker: First of all, the question yesterday was not the same, with all respect.

Mr. Roy: It was.

Mr. Speaker: No, it was not.

Ms. Copps: What is the difference?

Mr. Speaker: There was a substantial difference. I am not going to go into that. Quite clearly the remarks made by the Attorney General outside this House are beyond my jurisdiction or authority. I am not persuaded to allow the question; therefore, I rule it out of order.

Mr. Roy: And you are going to allow this to continue without any explanation?

Mr. Speaker: Order. The member for Waterloo North (Mr. Epp).

Mr. Nixon: It's our turn for a question.

Mr. Speaker: Order. That is exactly what I did. If everybody will just remain quiet, I will recognize the member for Waterloo North.

Mr. Martel: I thought they blew their question.

Mr. Speaker: The member for Sudbury East is out of order.

[Later]

Mr. Roy: Mr. Speaker, I rise on the point of order raised earlier about the sub judice rule. I thought I should bring to your attention a very important precedent of this assembly. I think you were a member of this assembly, so you will recall back in July 1977 when a full ruling and

decision was made by your predecessor in discussion of the sub judice rule.

I bring to your attention that it was in the debates of July 8, 1977, pages 589 and 590 of Hansard. I want to read briefly from that ruling to assist the House. I am sorry the member for Riverdale is not here because he is the one who invoked that principle.

The ruling quotes a House of Commons report, " 'Additionally, a member who calls for the suppression of discussion on a matter on grounds of sub judice should be obliged to demonstrate to the satisfaction of the chair that he has reasonable grounds for fearing that prejudice might result.' "

It is clear that, whoever invokes the principle, if it is a private member there is an obligation to convince the chair there is some real prejudice involved.

Second, it states: " 'Should a question to a minister touch upon a matter of sub judice it is likely that the minister involved will have more information concerning the matter than the Speaker. The minister might be better able to judge whether answering the question might cause prejudice. In such a situation, the minister could refuse to answer the question on these grounds, bearing in mind that refusal to answer a question is his prerogative in any event.' "

It goes on to say, " 'It is the view of your committee that the responsibility of the chair during the question period should be minimal as regards the sub judice convention and that the responsibility should principally rest upon the member who asked the question and the minister to whom it is addressed.' "

My point is that this minister has repeatedly made comment on that evidence outside the House and inside the House, as late as last Thursday, and now invokes the principle.

Hon. Mr. McMurtry: Mr. Speaker, this is a point of personal privilege. I know everybody can get carried away on occasion, but for the member for Ottawa East to state continually that I have talked repeatedly in and outside the House about evidence that is the subject matter of this trial is just not accurate. He knows that.

As I said earlier, and maybe to assist you, Mr. Speaker, this trial hopefully will end in the not too distant future. I will welcome a very frank exchange with the member for Ottawa East, the leader of the Liberal Party or any other member of the assembly with respect to any comments I have made about this matter. There will be ample opportunity both in the House and in the Attorney General's estimates.

Mr. Speaker: I must point out to the member for Ottawa East that he does not really have a point of order. I must rule him out of order.

Ms. Copps: He does. It is a precedent.

Mr. Speaker: Just a minute; first, my ruling is not debatable. Second, for the guidance of all honourable members, I was willing and, indeed, waiting for the person to whom the question was directed to take the action you suggested. However, in the intervening period the member for Riverdale rose on a point of order. He was absolutely right and drew it to my attention. I had no alternative—

Mr. Peterson: Why did you not do it yesterday?

Mr. Speaker: Because nobody objected. I am not going to debate this with you.

Mr. Nixon: You said you were going to do it—

Mr. Speaker: No, I did not. You were not listening.

However, it is not debatable. We will move on to the next order of business.

Mr. Roy: Mr. Speaker, on a point of privilege: The Attorney General has alleged that I made statements that are not accurate. I would bring to your attention, Mr. Speaker, that on September 7, 1982—I have the quote here, but I do not intend to get into it—the Attorney General said he reviewed the evidence. That was between the preliminary hearing and the trial. He said that the allegations by Neil Proverbs of illegal actions by police and of corruption in high places are totally without substance. Then on November 4, just last Thursday, he is quoted in the press as having made comments outside this assembly—

Mr. Speaker: With all respect, it is not a point of privilege.

Mr. Roy: He said I was inaccurate, and I have facts to the contrary right here.

Mr. Speaker: You know as well as I do what constitutes a point of privilege.

Interjections.

Mr. Speaker: Order. This is deteriorating into a debate between two members, and it just cannot be tolerated.

Mr. Epp: Isn't this where you debate, Mr. Speaker?

Mr. Speaker: At the proper time.

ONTARIO RENTER-BUY PROGRAM

Mr. Epp: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing. Given the fact that on October 26 only 7,037

loan applications had been made to his ministry; given that only 3,502 of those were renters; given that, with less than two months remaining in the program that was announced earlier this year, only 23 per cent of the 15,000 rental units he had promised were actually available to the people of Ontario; and since the federal government has announced a new extension of its assistance to home owners until April 30, will the minister extend the present program at least another four months until April 30 so that new units can be made available to renters in the province, since there is such a great backlog of applications for affordable units in this province?

Hon. Mr. Bennett: Mr. Speaker, let us get some of the facts correct. First of all, at this point more than 8,000 applications have been submitted to the ministry for the loan programs announced some time ago. At that time I said we were heading for and expected we could get 15,000 applications or new units in the province.

I have said over the past number of months that, as a result of the fluctuation of interest rates, the uncertainty of employment and other things in the economy today, it did not appear that we were going to achieve the 15,000. We modified it, and indeed we modified it with the assistance of the building industry itself to somewhere around 12,000.

3 p.m.

The member spoke about the number of applications that have been approved. I hope members of this House realize that approval and the payout come only upon the completion of the deal and the moving into the premises. As I said last week in this House, it will be some time in 1983 before all the applications are approved and a cash-flow position takes place in this province because the cash flow only takes place upon occupancy of the unit. With that understood, I recognize the fact that out of the 8,000 applications, roughly 3,900 of them are renters. To some degree, that has freed up 3,900 units for other people in the marketplace.

The fact remains that the federal government announced a week or two ago that they were going to extend—and I underline the word "extend"—the period of construction exactly as the Housing and Urban Development Association of Canada, the Urban Development Institute and the Canadian Institute of Public Real Estate Companies had asked of the federal government. There was a clause in the federal agreement which said that the construction of a unit must commence by December 31 of the current year. That has now been extended to allow construction of units to commence up until the end of April 1983.

When one looks at our program in Ontario, we have said that we want the deals finalized—that is, the commitment to purchase—by December 31, 1982. The date of occupancy of that unit can be until the end of August 1983 and, for a condominium unit, until the end of October 1983. Our moving the date will do very little, if anything, to stimulate further construction. Indeed, what the contractors want is the opportunity to lock in sales and not to get into speculative construction.

We find that in the marketplace today there are very few people, if any, in the housing construction industry who will go into speculative building at this time. With a date of December 31, we are trying to finalize those deals so the contractors and developers will know exactly what they have sold and can commence construction on some time between the end of December—indeed at this time they might be under construction, but they will have until the end of April next year to get the unit under way.

I think the two programs and their dates are very compatible and workable and will stimulate further activity—I hope a great deal of activity—between now and the closing date of December 31.

Mr. Epp: In view of the fact that the Ontario rental construction loan program only produced 41 units in the city of Toronto in 1981 and given the fact that there is a vacancy rate of less than 0.4 per cent in Toronto, what will the minister promise to the people of Ontario, particularly those desiring some rental units at affordable prices? What program is the minister prepared to institute so those people wishing to have rental units can have some place to live?

Hon. Mr. Bennett: I do not see that to be a supplementary question, but I am prepared to answer it.

Because we are dealing now out of the renter-buy program into what we call a rental construction program, members will recall a year ago we had the Ontario rental construction loan program which was implemented by this government and allowed a certain sum of money per unit as an interest-free mortgage on those units. We have something close to 17,000 units committed in Ontario—not only in Metropolitan Toronto, but there are other jurisdictions of this great province that require rental units as well.

As I have said before in this Legislature, I realize the problem when one starts talking about the downtown core area of Toronto in trying to get medium- and lower-priced units available to the marketplace. It will not happen unless there are subsidies a great deal heavier than either the federal government under the Canada rental supply program or our ORCL program can afford. Members have been told that to get rental units into the marketplace in downtown Toronto under the CRSP program will take $20,000 or $25,000 interest-free mortgage money from either the federal or provincial governments.

To answer the second part of the member's question, which relates to what we are doing: I said in this Legislature last week and I repeat again this week, I received a letter this morning from Romeo LeBlanc, the new minister reporting for Canada Mortgage and Housing Corp. We had requested more allocations. The allocation of nonprofit units, both public and private nonprofit and co-ops, is by the federal ministry, not by the provincial ministry. That is applicable to all 10 provinces. The allocation is made by the federal government.

I had indicated to Mr. LeBlanc that if we are to succeed in this province through the Ontario Housing Corp. and through the rent-subsidy program of CMHC and OHC, it would only be with a further allocation from the federal government. In his letter, Mr. LeBlanc said in the year 1982 he was not prepared to make any further commitments to Ontario. Indeed, he went on to say that he is not sure that in 1983, with the scarcity of resources at the federal level, and I gather that means this particular rental situation is not a priority subject with CMHC, he doubted very much whether the numbers of units allocated to the province in 1983 would be one bit higher than in 1982.

I suggest to the member for Waterloo North, indeed to my colleagues of this House, that I think it is incumbent upon all of us to put a little pressure on the federal government, particularly on those members we happen to know. Last weekend, when the member was in Ottawa, perhaps he could have attempted to get a further allocation for this province and its municipalities in the nonprofit housing sector to provide rental units for both the middle-income group and those that require subsidy. With that kind of co-operation we might achieve something further in this province.

Mr. Philip: Mr. Speaker, it is fairly evident that the minister's program has not created very many new units in the city of Toronto, and studies done at the University of Toronto indicate his program is giving subsidies to developers and providing very little in the way of new accommodation to tenants. Therefore, would the minister at least give a guarantee now that although he is not doing anything to create new rental accommodation in Toronto, he will do something to stop the demolition of existing rental accommodation in Toronto? Will he do the kinds of things that are being asked by the city of Toronto in Bill Pr13 and pass an antidemolition bill here in this House?

Hon. Mr. Bennett: Mr. Speaker, one of the problems we have in this province and this country is that there are far too many people who want to look upon life from a very negative and down-side position. Indeed, that party represents it in spades.

The member for Etobicoke sits there and denounces the fact that we have not created many units in the city or in Ontario under our program.One must balance it with the economics of the day. Government cannot do the whole job itself. There must be an interesting—

Mr. Foulds: It is not doing any job.

Hon. Mr. Bennett: That is what their lack of understanding is about the whole situation.

Mr. R. F. Johnston: How many units in Toronto?

Hon. Mr. Bennett: With 8,000 units we are talking about the range—

Interjections.

Mr. Speaker: Never mind the interjections, please.

Order. The member for Sudbury East (Mr. Martel) with a new question.

DEATH OF JOHN JOSEPH ROYAL

Mr. Martel: Mr. Speaker, I have a question to the Attorney General.

The minister will be aware of the death of John Joseph Royal, an 18-year-old man who died of asphyxiation when he fell into a 250-gallon vat of drywall compound while working for Ontario Gypsum. He will also be aware that a protective grill was removed from the top of the vat because it was slowing down production.

Is the minister aware that the company was convicted and fined $1,500 and the owner was fined $500 for a total of $2,000? Is not that type of fine almost a licence to continue this sort of mayhem in Ontario?

Hon. Mr. McMurtry: Mr. Speaker, I do recall

reading in the press about this tragic case. It prompted me to ask some of my law officers to communicate with officials in the Ministry of Labour in relation to doing an overview as to what type of penalties are being imposed. It certainly was my impression, given the facts in that case, that the court indeed did levy an excessively lenient penalty.

3:10 p.m.

Mr. Martel: In view of the fact that in the Kenneth Pearce case there was also a conviction and that fine was only $3,000, and being aware that both these cases have already been tried, is the Attorney General prepared to pursue this matter and lay charges under the Criminal Code in the death of John Joseph Royal?

If so, will he lay the charges under section 202 for criminal negligence; under section 201, "duties of master to servant"; under section 231, "traps likely to cause bodily harm," or under all three of them? I ask this particularly in view of the fact that his colleague, the former Minister of Consumer and Commercial Relations, bragged that he was able to reduce the number of people turning back odometers by instituting fines of some $10,000.

Does the minister not find it odd that, according to the fines levied by the courts in the two cases I have mentioned, apparently we place more value on an automobile than on a human being?

Hon. Mr. McMurtry: I would have to verify this but my recollection is that the local crown attorney's office reviewed the matter to determine whether there were reasonable and probable grounds to believe there had been a breach of the Criminal Code. I believe that aspect of the matter was reviewed. I would like to check on that to make absolutely sure, because there have been other industrial accidents in which the provisions of the code have been considered. I will report back on that aspect of it.

In my opening response I said I hoped that the officials in both ministries, particularly those in the crown law office criminal and the appropriate officials in the Ministry of Labour, by working together would devise a strategy—quite apart from any criminal prosecutions, which is our responsibility—to impress upon the courts more effectively than by what apparently has happened in the past, that these matters have to be treated very seriously.

MEDICAL TECHNOLOGISTS

Mr. Yakabuski: Mr. Speaker, I have a question of the Minister of Health. I am sure the Minister of Health, along with all members of this assembly, received a letter from the Ontario Society of Medical Technologists, who are seeking regulation of the practice of medical laboratory technology in the form of a provincial act to ensure that the rights of the public and the profession are protected. This is a very important area in the delivery of our health care system. Is the minister therefore contemplating introducing such an act?

Hon. Mr. Grossman: Mr. Speaker, I am glad the member for Renfrew South asked the question.

Mr. T. P. Reid: Is that your campaign manager?

Hon. Mr. Grossman: May I indicate to the member that I appreciate his asking about this important matter. I do have a copy of that letter. I am reviewing the status of that particular profession, along with others, by way of a formal and complete review of a number of disciplines which are currently practising in the health field. I hope to have a specific initiative to announce in the not too distant future.

CLOSURE OF FACILITIES FOR THE MENTALLY RETARDED

Mr. Riddell: Mr. Speaker, I have a question to the Minister of Community and Social Services. Compounding the discrimination against the public sector by the government in its restraint program, the minister has chosen to discriminate against the developmentally handicapped people by closing their centres, their very communities, supposedly in order to save $23 million.

Does the minister not understand that centres such as the Bluewater Centre in Goderich are unique communities consisting of mentally retarded people and thousands of other people who are reaching out their hands to them?

Does he not understand that the residents of the Bluewater Centre are extremely happy and are most pleased to have access to facilities and activities that they would not have in any other community setting?

Does he not understand that the mentally retarded people at the Bluewater Centre are given a more meaningful life through the use of such facilities as the swimming pool, recreational areas of various kinds, a barn where livestock are kept for their pleasure, work areas and a lovely campsite on Lake Huron?

Does he not understand that the people working at these centres show a love for the mentally retarded people that could not be equalled in any ordinary community centre, and that he is coldly calculating the destruction of what residential counsellors and some thousands of others have been working towards, namely, providing the means for teaching the retarded they are persons of worth?

Why is the trust of the mentally retarded people of this province being destroyed after they have learned to trust, co-operate and interact with a specific group of persons, such as the staff and fellow residents, when it is known that moving retarded people out of this setting is a major setback and the damage done could be irreparable?

Hon. Mr. Drea: Mr. Speaker, that is one of the most repugnant questions ever asked in the House. The answer to it is no. In all fairness I really think the honourable member should withdraw his remarks about people being treated like livestock. He knows that is wrong.

If he wants to stand up and fight for the jobs in his riding, so be it. But if he is going to sit over there or stand over there, along with the member for Prescott-Russell (Mr. Boudria) and the member for St. Catharines (Mr. Bradley), and say facilities and institutions are the only things to do, then let him say it right now.

KIM ANNE POPEN

Mr. Peterson: Mr. Speaker, on a point of privilege: A notice has just come to my attention that I would like to read to the members. It says: "The Honourable Frank Drea, Minister of Community and Social Services, will hold a news conference tomorrow, Wednesday, November 10, at 9:45, in the Legislative Building media studio. The subject: the report of the judicial inquiry into the care of Kim Anne Popen."

You will recall, sir, that we have been looking for that report now for some years and it has been dragging for quite a long time. Obviously we are all anxious to see that report. But I do appeal to you, sir, as the chief presiding officer of this assembly. It shows at least a profound disrespect for this chamber not to bring that report into the chamber today at least by way of a statement. Those of us who care about the Legislature and the functioning of parliament, as I am sure all honourable members do, would want to make sure that was first released in this House.

Hon. Mr. Drea: Mr. Speaker, the member is really something.

Some time ago, I believe it was in my estimates—maybe the member for Scarborough West (Mr. R. F. Johnston) will recall—or maybe it was in the House, there was some concern expressed about the length of time it had taken for that report to be written. I said that within 48 hours after I received it, it would be released publicly. For practical purposes, the printer delivered on Monday; tomorrow is Wednesday. If the honourable member wants me to stall the report even further, let him say so.

Mr. R. F. Johnston: Mr. Speaker, as somebody who has been asking for this report for some time, I would like to raise two matters that perhaps the minister can clear up.

First, I do not understand why it would not be possible for us to receive this in the House prior to the minister's releasing it as an open statement outside the House.

Second, it is my understanding that although he may just have got the final report from the printer on Monday, the report in some form has been in ministry hands for two weeks.

Hon. Mr. Drea: In fairness, various drafts of the report have been around. If I am going to hand out a report, I have to have some ability to distribute it to all. It has taken the ministry an amount of time to accumulate all the copies. Those copies will be out tomorrow. If the members want to postpone it, let them say so.

3:20 p.m.

Mr. Martel: Bring it in tonight.

Mr. McClellan: We want it today.

Mr. R. F. Johnston: Mr. Speaker, what we are saying is we would like it this afternoon, here in the House.

Hon. Mr. Drea: You are not going to get it this afternoon. You can get it at 9:45 tomorrow.

Mr. Foulds: Mr. Speaker, on a point of order: I would like to know if the previous statement uttered by the Minister of Community and Social Services is not an abrogation of the rights of the members of the Legislature.

You will notice in the routine proceedings we have not yet reached the point called "Reports." The minister has admitted the report is in its final form, it is ready, it is in his office. He could table it today in this House under the routine proceeding called "Reports."

If he needs to send somebody back to his office to get it, I am sure he will get unanimous

consent of this House to revert to reports later in the afternoon.

PETITIONS

MINISTRY OF EDUCATION REPORT CARDS

Mr. Grande: Mr. Speaker, I have a petition that reads:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows." It is a Metro report card. It says, "It is only fitting that on Education Day, parents, teachers and students have an opportunity to grade the Ministry of Education on the service it provides to the citizens of Ontario."

An analysis of this petition shows that the Minister of Education (Miss Stephenson) and the Ministry of Education score 71 per cent Fs on public relations and 90 per cent Fs on willingness to admit mistakes. I would urge the members of the government from Metropolitan Toronto to put these report cards in the Legislature at this time or later this week.

Ms. Bryden: Mr. Speaker, I would like to present a similar petition to the Lieutenant Governor and the Legislative Assembly of Ontario in the form of report cards from 112 persons in my riding grading the Ministry of Education on the services it provides to the citizens of Ontario. I would like to point out that about half of the—

Mr. T. P. Reid: Mr. Speaker, on a point of order: Surely this is really an abuse of the privileges of the House and of the standing orders?

Mr. Speaker: I think not. I think the honourable member, with all respect, is in fact tabling a petition.

Ms. Bryden: Thank you, Mr. Speaker. The honourable member to my right has tabled petitions of different kinds in the past.

Mr. T. P. Reid: It should be addressed to the Lieutenant Governor and deal with a matter before the assembly.

Mr. Speaker: Order. That is exactly the way it was addressed and what it does deal with.

Ms. Bryden: I would like to point out briefly that about half of the cards gave an F rating, which is the lowest one, on all 10 points listed on the petition, and about 80 per cent gave a D or an F rating, which are the two lowest ratings. Some of the comments on the petition indicate the reasons the petitioners are unwilling to give the ministry a passing grade.

3:30 p.m.

ORDERS OF THE DAY

House in committee of the whole.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Consideration of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act.

On section 1:

Mr. Bradley: Mr. Chairman, when this bill was proceeding through the standing committee on general government we dealt with it on a clause-by-clause basis at that time. We had a discussion as to why we should not proceed with section 1—and with a number of sections, I must say.

There were a number of amendments moved in favour of the deletion of certain sections of the bill because those of us in the opposition, in both parties, felt there should be complete deletions of sections of the bill because of the fact that we are adamantly opposed to everything within a section of the bill.

It was ruled at that time by the chairman that deletions would not be the best way to proceed, and if anyone wanted not to proceed with a section of the bill they would do so based on the fact that they would vote against the bill as opposed to coming forward with a deletion.

If members look at section 1 they will see that it mentions all of the boards of education which would be affected by this. It is our view that the Minister of Education (Miss Stephenson) should have withdrawn the entire bill, including section 1, in order that there could be further discussion of the boards of education listed in section 1 with the boards themselves on how they might resolve any of the problems they perceive in terms of negotiations or finance in Metropolitan Toronto.

The minister indicated at that time she was not prepared to accept a deletion of section 1. This is a very key section in that it is the one which names the boards of education, some of them dragged in kicking and screaming, which will be involved in this bill. The board of education of the city of Toronto has made representations against its inclusion in this bill, and when there is such overwhelming opposition and that opposition comes from—

Mr. Nixon: On a point of order, Mr. Chairman: I hate to interrupt my honourable friend

but the minister has been waiting for weeks for this bill to proceed. We are just beginning and making very important points. I do not want to interrupt her conversation with my good friend from the north, but this is not the proper time to carry on a conversation with the minister.

Mr. Chairman: I will interrupt the member for Lake Nipigon (Mr. Stokes) and the minister.

Mr. Grande: On a point of order, Mr. Chairman: We are beginning with the clause-by-clause, but do we or do we not have an amendment on the floor?

Mr. Chairman: We have section 1 on the floor.

Mr. Grande: Do we have an amendment?

Mr. Chairman: No, we do not have an amendment yet.

Mr. Grande: Mr. Chairman, as I indicated to you in the package of amendments that I provided for you, I have an amendment on section 1 of the bill.

Mr. Nixon: On the point of order, Mr. Chairman: The fact that the member has provided you with a package of amendments is very convenient for all of us, but may I bring to your attention that we called section 1 and my colleague the Education critic for the Liberal Party has some comments to make on section 1.

Actually, the motion presumably before us is, shall section 1 carry. It may well be that the member for Oakwood (Mr. Grande) will have an amendment to make when his turn comes. Perhaps he can wait until the representative of the official opposition has completed his remarks on section 1.

Mr. Chairman: Believe it or not, I was about to say the same thing. We are speaking to section 1. We will go (a), (b) and so on, or take the whole section; I have not quite worked that out yet. But at such time as we conclude here, we will move on to amendments to section 1 from the member for Oakwood.

Mr. Wildman: Mr. Chairman, I have a point of order with regard to some comments that were made by my friend the member for St. Catharines with regard to what happened in the committee.

Could the chair direct us here as to whether or not the chair is going to take the same position as was taken by the chairman in the committee; that is, that a motion to delete was not in order? My understanding is that a motion to delete at least a subsection of a clause is quite in order because it is an amendment to that clause. I would hope the chair would consider that very carefully so that we do not run into problems when we do get motions to delete, which will be put.

Mr. Chairman: Speaking to that, and so that all honourable members are aware of what is in front of the committee of the whole House at the moment, I have had some information in terms of what took place in the committee. It is my understanding, and I will be making rulings on this basis, that if there is a motion to delete the whole section, that would be out of order, but if there is a motion to delete a subsection or part of a section, that would be in order.

While we are into this, I am going to try to help facilitate my work. Are you going to be speaking to the whole of section 1, or can we approach it as subsection 1(a), 1(b), or—

Mr. Bradley: The whole of section 1.

Mr. Chairman, if one were to look down the list of boards of education and be reminded of those which made representations to the committee, one would look at the board of education of the city of Toronto and the very strong representations which were made against the bill.

I point out to members that it was not one particular group on the board of education. It was something that transcended the partisan lines that might exist on that board. It was something that transcended the philosophies of members of the board of education and policies that they might advocate in another area.

There was unanimous support, as I recall, from the membership of the last Toronto Board of Education in opposition to Bill 127, and I have seen nothing in the results of yesterday's election that would indicate the strength of the opposition to that particular bill has been sapped by the voters in the city of Toronto.

Therefore, to drag a major board of education of this province, and certainly of Metropolitan Toronto, into a bill kicking and screaming with such vehement opposition would be wrong on the part of the government. That is one of the reasons we think section 1 of the bill should not carry.

One could also look at the borough of York and recall that in the first instance it was stated in the committee that the borough of York was wholeheartedly supporting Bill 127. Then we had an appearance by the chairman of the board of education and we got a slightly different slant about the kind of unanimous support or overwhelming support that was supposedly forthcoming from the borough of York board. We

found out there was somewhat less enthusiasm than might have been the case prior to that. Second, when we investigated through cross-examination of the witness, the chairman of the board of education, we found that she was less than enthusiastic about certain provisions of this bill.

Therefore, to say that all of the boards of education listed in section 1 are in favour of the bill would be incorrect. We know that Toronto is adamantly opposed. We know that York has some concerns, and we know that other boards of education may have been uneasy about certain sections of the bill, albeit some of them felt that amendments would be preferable to withdrawal.

3:40 p.m.

When we look at all the boards of education listed in section 1 of this bill, and reflect on the viewpoint expressed by voters in the boroughs and municipalities within Metropolitan Toronto, we have to wonder whether there is still the kind of support the minister thinks there is for Bill 127. To proceed with section 1 of Bill 127 at a time when we have a newly elected board of education in each of these municipalities and boroughs, I think is an incorrect move.

Naturally, we hope the minister will withdraw the entire bill and go back to the drawing board, but if she does not want to take that particular course, another suggestion would be to wait for the deliberations of the new boards of education which will reflect the voice of the voters. As well, some new members may have a contribution to make. The minister would then be better able to determine the level of support among the new members of the boards of education and, therefore, could say she has some indication from the electorate of their support or opposition to the bill through the people who were elected to the various boards of education.

A reasonable stand, and one which would be supported by me, is that the minister withdraw the bill temporarily. I would hope I could persuade her later on to withdraw it on a permanent basis.

There is opposition by the city of Toronto to being included in section 1. Perhaps it would be unrealistic for the minister to include just those boards of education that want to be included, but because the city of Toronto is specifically mentioned in section 1, we feel further consultation is necessary in order to discuss that board's concerns with this bill.

They are concerned because they know if they are included in this bill they will be forced into a position of negotiating on a Metro-wide basis two very important items which they hope would be negotiated at the local level, which is where they want the power to remain. They are concerned about that aspect of the bill and I am certain they do not want to be included in section 1.

Hon. Miss Stephenson: Did you ask them?

Mr. Bradley: Second, we all know they are concerned about the aspect of the bill that deals with the surplus and deficit situation. They were relatively pleased with the existing situation. Certainly they were not the worst of those which the minister indicates have been offenders in the surplus and deficit situation that exists. North York, for instance, incurred more deficits in the years that were looked at in the committee. So we have the second aspect of opposition to this bill by the Toronto Board of Education, which does not want to be included in section 1 of this bill.

The third aspect dealt with the discretionary levy and whether the board would feel the bill was more acceptable if the discretionary levy had been uncapped or allowed to go to two mills without the sleight of hand the minister used in the committee. She appeared to be making a concession on one section of this bill, but when we looked at actual dollars down the line, it was not much of a concession—

Hon. Miss Stephenson: Oh, yes it is.

Mr. Bradley: —because of the freezing at the 1981 level of assessment.

Hon. Miss Stephenson: You just cannot add.

Mr. Bradley: That is why the city of Toronto would be particularly opposed to being specifically named in section 1 of this bill.

L'Association des enseignants franco-ontariens and the Federation of Women Teachers' Associations of Ontario, which are listed in section 1, and the Ontario Public School Men Teachers' Federation and the Ontario Secondary School Teachers' Federation, would not want to be included in section 1. Any one of them might want to be exempted from that section, and we can certainly understand their reasons.

They have expressed their concerns about the deficit-surplus policy to be included in this bill. They are concerned about the discretionary levy, which the minister has not budged very much on. When she first introduced the bill, we know she wanted to reduce that portion at least in the elementary area to one mill which could be used for the purposes of hiring teachers. There was a concession made that the full mill

and a half would be permitted to be used, but a freeze would be placed at 1981 on the assessment that would be used as the base for that.

It really was not the kind of major concession people were looking for. Therefore, it is not the kind of concession which would suggest that those listed in section 1 of the bill among the teachers' federations would be prepared to accept their inclusion in section 1.

Also, and of primary concern, being included in section 1 of this bill, these federations would be very much opposed to the changes the minister has suggested in the collective bargaining process at the Metro level. They feel, and rightly so, their inclusion will mean there will be less of an opportunity to negotiate the kind of local options within contracts than has been the case in the past.

Hon. Miss Stephenson: Why do you stand there and mouth this?.

Mr. Bradley: We know it's true.

Hon. Miss Stephenson: No, it's not true.

Mr. Bradley: The minister interjects and says it is not true, but of course she is not correct in assuming that.

If we look at the situation as to why the teachers' federations within Metropolitan Toronto would not want to be included in section 1, we know they happened to negotiate a rather interesting contract a couple of years ago where they were prepared to have more teachers in the system at a lower rate of compensation than would have been the case in certain other boards of education within Metropolitan Toronto. I think it was called "bodies for bucks," which is a rather uncomplimentary term to be using. Nevertheless that was an innovative item that was included in terms of a contract.

Therefore, when these people look at section 1 of Bill 127 and see their federation listed as being forced to participate in the provisions of this bill, being included in section 1, they are going to be very concerned that if they want to negotiate a contract with the kind of special provision which will ultimately benefit the children in Metropolitan Toronto, or specifically within the city of Toronto, by having more teachers available to teach those children, they would not be able to do so by being included in section 1.

Rather than including them, we are saying that there be a renegotiation with them, some meaningful consultation with the teachers' federations on how they might feel they could be included in a bill of this kind, how it might be acceptable to be specifically named in section 1 of a bill of this kind. The best way would be to discuss with them changes to Bill 100 if those are the areas where the minister is concerned. They are very familiar with Bill 100, in which they do not mind being included. They know they would be included there and that is fine with them. Their objection is to being included in a bill such as this and being specifically named in section 1 of the bill.

I urge the minister to withdraw section 1, which means withdrawing the entire bill, of course, in order that she can look at the whole matter of negotiations in Metropolitan Toronto again, look at the surplus and deficit situation in Toronto with a better viewpoint and go back to the drawing board in terms of the discretionary levy.

When people look at the board of education being named—for instance, the Toronto Board of Education or any of the boards—and when the parents affected by this board come before the committee and talk about the possible destruction of programs that could flow from that board of education being included in section 1 of this bill, then they would endorse the position that I am taking of asking the minister to go back and begin the consultative process anew in an attempt to solve any problems that might exist.

3:50 p.m.

I suggest the problems simply do not exist. By including all these organizations and these boards of education, section 1 is unnecessary because we are fixing something that is not broken. No substantial problems exist except in the minds of a few people. Any problems of that nature can be discussed on a long-term basis.

We do not agree with section 1 and we will be voting against it. I moved an amendment in committee which would have deleted many sections of this bill and that is the way we wish to proceed. But I understand amendments to delete an entire section will not be accepted. We feel the whole section is defective and therefore we will be voting against section 1 and will be supporting any amendments that would include deletion of even part of section 1.

Mr. Grande: Mr. Speaker, I do not know where the Liberal member got the idea you will not allow any deletions or amendments to this bill.

Mr. Chairman: He did not say that.

Mr. Grande: Or particular clauses of this bill.

Mr. Chairman: He recognized the fact they are not going to bother with deletion of particular clauses; they are just going to vote against the whole section. That is what he said.

Mr. Grande: Exactly. Therefore, Mr. Chairman, I would like to move, as per page 2 of the material I have provided for you, that section 1 of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act, be deleted.

Mr. Chairman: The honourable member has moved—dispense with the reading? Dispense.

Mr. Grande: There are some basic reasons I moved deletion of section 1 of the bill.

The first reason is basically because we are here today, approximately five months after the introduction of this bill in the Legislature, and clearly the Minister of Education has failed miserably in terms of explaining to anyone in this province or in Metropolitan Toronto the need for this legislation.

The minister has made some noises, noises that people simply do not believe, noises about which 5,000 people in front of this Legislature, parents, teachers and students, have said: "No, we do not believe the noises you are making. You have to withdraw the bill." The minister's own trustees, knocking on doors in Metro Toronto, did not believe what the minister was saying because they were walking around with "Stop Bill 127" buttons on their lapels.

Basically they were saying to people: "I am opposed to Bill 127. Vote for me. Forget about my Tory leanings."

Mr. J. A. Taylor: Mr. Chairman, on a point of order—

Mr. Chairman: Just before the point of order, I was trying to get the honourable member's attention. I need a bit of clarification. Maybe I should have read it. It is my understanding you moved, "That the Board of Education for the City of Toronto and the Board of Education for the Borough of York be struck out from section 1." Is that correct?

Mr. Grande: No. Mr. Chairman, on page 2 which I have given you it says, "Section 1 of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act, be deleted."

As a second amendment, I move that both the Board of Education for the City of Toronto and the Board of Education for the Borough of York be struck out from section 1.

There are two amendments.

Mr. Chairman: Then we have a problem because on the documentation you gave me, your page 2 is the page that refers to your second amendment. You pointed out to me that your first amendment, of course, is to delete all of section 1. Is that correct?

Mr. Grande: That is correct.

Mr. Chairman: I am going to have to rule that amendment out of order.

Mr. Grande: That is fine if you rule that way. In other words, you are ruling that amendment out of order and you are accepting the amendment to strike the Toronto Board of Education and the Board of Education for the Borough of York from section 1?

Mr. Chairman: That is right. I will accept that, although I am not overly happy with the way it is worded. For me, if you had referred to subsection 1(b), etc., it would have been better, but that being as it may.

Mr. J. A. Taylor: Mr. Chairman, the point of order I was going to make was precisely the point of order you have now brought to the member's attention.

Mr. Chairman: Thank you. I am glad you were watching and hearing.

Mr. Grande: Speaking to the section deleting the Toronto Board of Education and the Board of Education for the Borough of York from section 1, I referred to yesterday as municipal election day in all of Ontario; it was also election day in the borough of York and in the city of Toronto. The electorate last night and yesterday spoke clearly to the Minister of Education and to this government in terms of the disposition of Bill 127.

Basically, the people of Toronto not only decided to return to the board that particular group of trustees the minister called a partisan group of people, but decided to increase the number of those particular people on the board. By the way, in the city of Toronto, some of the trustees who ordinarily wear blue collars and wear the "Stop Bill 127" buttons were also re-elected. Therefore, virtually 100 per cent of the trustees of the city of Toronto say "No" to Bill 127.

Because of that, the city of Toronto should not be part of this bill. The electors of the city of Toronto last night said: "We want direct accountability between our trustees and ourselves. We don't want Bette Stephenson and government to take away that direct link to our trustees in the city of Toronto." Therefore, they voted to signal that particular point to you.

In their way, the people in the borough of York made changes as well—not perhaps on the setup of the board of education, but certainly in

the setup of other bodies in the borough of York.

The fact remains this bill is not required. This bill is not needed. The Minister of Education has not one shred of evidence to put forth which shows to anybody that Bill 127 is required in Metropolitan Toronto. The Toronto Teachers' Federation and other federations in Metropolitan Toronto have come before us on the general government committee with one simple message for the Minister of Education and her government: Withdraw this legislation; get rid of it. The parents have a very simple message: Withdraw this legislation; it is not needed.

4 p.m.

No report that I am aware of in the past three to four years has indicated to this government or to this minister that this legislation should be brought in—none whatsoever. We are then left to speculate why the bill is here. Perhaps we should not be talking about some of the weaker moments of some cabinet ministers or some Tory back-benchers; perhaps we should leave that to the private domain.

Interjections.

Mr. Chairman: Speaking to the amendment.

Mr. Grande: I certainly am.

Mr. Chairman: Well, many are not.

Mr. Grande: The fact is that there is not one shred of evidence to indicate to the Minister of Education or to the government that they should move in this direction.

The Chairman is aware, I am sure, that last year the Minister of Education and the government circulated amendments to another education bill, which is often referred to as Bill 100. Bill 100 deals with labour relations in the education sector; and if the minister wanted to change labour relations in the education sector in Metropolitan Toronto properly, she should have brought forth the changes in the labour relations legislation that exists. That particular labour relations legislation happens to be the School Boards and Teachers Collective Negotiations Act, 1975.

The minister decided: "No, I will not go that route. I will change the Municipality of Metropolitan Toronto Act, because I do not want all the people in Ontario to be opposed to this legislation." The minister, as has been normal and usual ever since she became Minister of Education, was wrong once again; because everyone, with the possible exception of about 12 groups that came before the general government committee, has indicated, whether from Metropolitan Toronto or from outside of Metropolitan Toronto, that the bill should not exist, that the bill should be withdrawn, that the bill should be ripped up, basically.

I just want to bring to the minister's attention a couple of things that really upset me about the consultation process this minister has involved herself in with regard to Bill 127.

Mr. Chairman: And that is why you are moving your amendment to section 1.

Mr. Grande: Exactly, sir; dealing with the city of Toronto. The Minister of Education has received a letter, dated November 1, 1982, from one Robert G. Spencer, chairman of the Toronto Board of Education, who was re-elected yesterday. I want to read this letter, because it speaks to the consultation process that this government involves itself in. It says—

Mr. Chairman: I do not want to get into a big fight here, but does it pertain to your amendment?

Mr. Grande: It certainly does, Mr. Chairman.

Mr. Chairman: I'll tell you what I'll do. This will be a gimme, because I trust your judgement on it, but because I am having difficulty in trying to establish how the consultation process concerns your amendment—

Mr. Grande: I am suggesting—

Mr. Wildman: They are forcing this bill on those two boards.

Mr. Chairman: The honourable member has the floor.

Mr. Grande: That is right. I am suggesting to you that the city of Toronto and the borough of York should be taken out of that first section. I am giving you a reason why it should be taken out of that section. This happens to be regarding the city of Toronto.

Mr. J. A. Taylor: Mr. Chairman, could you possibly clarify the amendment the honourable member proposes to make?

Mr. Chairman: Yes, I would be delighted to do that. If you have a copy of the bill in front of you, we are dealing with—

Mr. J. A. Taylor: Yes, I have. I must say that I sat throughout the hearings on that particular bill so I am somewhat acquainted with its contents.

There has been a considerable tardiness, as you know, in processing this particular piece of legislation. I am not fully acquainted with the substance of the amendment in connection with section 1. Will you read the amendment? I do not think it deals with the consultative process.

Mr. Wildman: On a point of order, Mr. Chairman.

Mr. Chairman: I am answering the point of order of the member for Prince Edward-Lennox (Mr. J. A. Taylor) in terms of reading the amendment again. The amendment is to section 1 of Bill 127: "Mr. Grande moves that the Board of Education for the City of Toronto and the Board of Education for the Borough of York be struck out from section 1."

I indicated earlier that as far as draftsmanship goes I would have been happier if the amendment had read something in the nature of "Mr. Grande moves that paragraph 1(1)(b)(b)5 and paragraph 1(1)(b)(b)6 be struck out." However, under the circumstances I have allowed the amendment to stand. Again, that refers more specifically to paragraphs 1(1)(b)(b)5 and 6. Are you clear on that?

Mr. J. A. Taylor: Thank you, Mr. Chairman.

Mr. Chairman: The member for Algoma had a point of order.

Mr. Wildman: On a point of order, Mr. Chairman: Surely all members of the House will realize that the reason my colleague's amendment strikes out those two particular boards is for the very fact that the ministry has ignored the positions taken by those boards on this legislation and is forcing the legislation upon them.

Mr. Grande: The letter is addressed "Dear Dr. Stephenson" and reads:

"The board of education in its meeting of Thursday, October 21, 1982, was unanimous in its vote that I, as chairman, express its disappointment and anger at your apparent undemocratic and closed method of operation with respect to a meeting held on October 15.

"It had been brought to my attention that on Friday, October 15, at 3:30 p.m., you convened a meeting of the chairmen of the other area boards of education in Metro Toronto, along with the chairman of the Metropolitan Toronto School Board, to discuss Bill 127 and related matters.

"I was available to attend such a meeting but, because no invitation was extended to me, knew nothing about it. I was quite surprised when asked by one of those present why I had not attended since all present were aware of Toronto's position and must have wondered why it was not represented at the meeting.

"While it is common for political parties to caucus in private, it is uncommon for public, democratic institutions to exclude fellow representatives.

"The board views this as a deliberate slight to the 600,000 people of the city of Toronto, many of whom have very strong feelings about this particular piece of legislation.

"I hope I have made my point on behalf of all the trustees in the city of Toronto and, I believe, on behalf of the majority of the residents of the city. It appears that 'equality of education' does not include even such a basic democratic right as equal access to dialogue."

The reason I read that letter in full was that it does speak to the consultation process, where the minister says, "I will consult with those people who agree with me and exclude those who disagree with me." The whole process of Bill 127 has been dealt with completely and totally in that manner by this minister and this government.

4:10 p.m.

The minister consulted at one point with the Ontario Teachers' Federation but when those people said, "Show us what you are attempting to amend," the minister answered: "I am not going to show you the amendments. I will be asking if you have amendments." The minister was aware the OTF's position was that the bill should be withdrawn. If the minister calls that consultation, it is a very hollow definition of the word.

In Toronto's ward 11 last night, a lady named Marjorie Manley was elected. She has been one of the many outspoken critics of Bill 127. This is the lady who, at the Holiday Inn in Toronto some time ago, said of the Minister of Education: "I accuse Stephenson of using my children as political pawns in this venture. Parents have the right to fulfil their responsibilities to their children by electing their own trustees." This lady, Marjorie Manley, yesterday was elected as one of the trustees for the city of Toronto. I am sure the Minister of Education will be hearing a lot more from Marjorie Manley in the future.

I want to end the discussion on this, the first of the 50-odd amendments I have for introduction in this Legislature, by saying to the Minister of Education that the people in Metropolitan Toronto spoke loud and clear yesterday. They said, "We want our trustees to be responsible to us, the electorate." They said to the Minister of Education: "Leave that alone. Do not tamper with our democratic rights. Withdraw this objectionable and punitive legislation which you have before the House." I hope the minister has her ears open.

Mr. J. A. Taylor: Mr. Chairman, if I may make a few comments: I think the substance of the amendment is to create permissive legislation which means that a board of education not supportive of the legislation would have the right to opt out of the legislation. In my humble submission that would undermine the very principle of the bill itself. It would be ludicrous to suggest that one could lift from the bill any single board of education. I wanted to make that comment.

Furthermore, I do not think one can interpret the events of yesterday and the results of last evening as having any particular bearing on the legitimacy or otherwise of this bill.

Mr. Wildman: That shows how out of touch you are.

Mr. J. A. Taylor: I do not want to respond to comments that are ill-advised and not considered. We are dealing with section 1 of the bill. It is important to ensure that if there is a bill, the integrity of that section remains. I therefore offer my support for that section.

Mr. Cunningham: Mr. Chairman, the member for Prince Edward-Lennox is correct in his assessment that the net effect of this amendment would be to create permissive legislation. In that regard I support it.

As one who favours the concept of local autonomy, I find it somewhat regrettable that a school board would be dragged kicking and screaming into this legislation when it has been clearly demonstrated, not only by the duly elected representatives of the school board, but also, and even more appropriately, by a great plethora of citizens' groups, teachers' groups and home and school associations, that with very few exceptions, as indicated to the members of the committee, they had overwhelming opposition to the legislation in general and specifically to section 1.

I can reflect on the time we spent during the course of the hearings. Some tremendous presentations were made, including one by the chairman of the Ottawa Board of Education, who took the time to come to Toronto to make her presentation and who was a treat to listen to. I do not know what her political preference would be, if she has one, but she made a great deal of common sense, something that may be missing in the legislation.

I was impressed by the submission made by Mr. Rogers, who I believe has some passing acquaintance with a local cable TV outfit, who was representing the home and school association, if my memory serves me well, for the John Robinson Public—

Hon. Miss Stephenson: John Ross Robertson.

Mr. Cunningham: The John Ross Robertson Public School, which I believe may be situated in the riding of Eglinton.It is understandable that the member for Eglinton (Mr. McMurtry) may have some second thoughts about the legislation, given the well-expressed concern by Mr. Rogers about this piece of legislation.

Frankly, it disturbs me for a number of reasons. I think the surplus and deficit situation is one—

The Deputy Chairman: Is the member speaking to the amendment? I am concerned that he might be wandering off. We are talking about the amendment, "I move that the Board of Education for the City of Toronto and the Board of Education for the Borough of York be struck from section 1."

Mr. Philip: He is taking about the city of Toronto.

The Deputy Chairman: I am asking about the amendment. We are talking to an amendment.

Mr. Cunningham: Mr. Chairman, I do not know what I have done to provoke you to yell at me.

The Deputy Chairman: I really disapprove; I think the chair is trying to do a job. All we have to do is make sure we deal with the subject at hand. The interjections make it difficult for the chair to appreciate why they come.

Mr. Cunningham: Mr. Chairman, since I had the floor, I did not think I was interjecting.

The Deputy Chairman: The member does have the floor, but on the motion.

Mr. Cunningham: I really do not know what I have done.

The Deputy Chairman: I am listening to you. I am just asking you to speak to the amendment which I do not think this is.

Mr. Cunningham: Thank you very much, Mr. Chairman. I accept your apology. The thrust of my remarks reflected the amendment before us. The thrust of that amendment would be to recognize the right of the city of Toronto and the borough of York, those two municipalities as a minimum, to be removed from this item of legislation.

Reflecting on the events that occurred during the course of the committee, the amendment itself reflects some concerns I expressed in committee, and I did make that motion during the course of the committee. Unfortunately, it

did not receive the favour of the members of the Legislature who were attending the committee, the members of the government party. Unfortunately, I do not see many of those who participated in the committee here today, but that is another matter and not particularly relevant to the discussion at hand.

As I reflect on paragraphs 5 and 6, I am of course mindful of the presentations made by groups from the city of Toronto and the borough of York.

More specifically, as a member of the Legislature from outside the city of Toronto and from outside the municipality of Metropolitan Toronto, I must say it was a great education for me in so far as I was apprised by the representatives not only of the boards of education but also, more appropriately, by the home and school associations, the citizens' groups and the neighbourhood community associations, of the necessity for them not to be included in this bill.

I was indelibly impressed with the concerns they had about English as a second language, English as a second dialect, and the ability of these boards to strike a system that would accommodate their own special and unique needs. As one who readily admits he has only a passing acquaintance with the specificity of these neighbourhoods and communities, I found it to be a great education for me. I must confess that I really had no specific understanding of the dialect problems and other problems in adjusting that many children from immigrant families have.

Interjection.

4:20 p.m.

Mr. Cunningham: I am sorry, I missed the interjection from the minister.

As one who studied at the University of Western Ontario and learned the doctrine of "cheap smart" and "cheap stupid" very well, I was convinced that if we put money into our system to accommodate the special needs of these children at an early age, it would be far cheaper and far more humane and realistic than to deal with these people in a remedial fashion ex post facto, or after the fact. I think it was the desire to establish a system of education that would reflect local autonomy and local concerns that prompted not only elected representatives of the city of Toronto and the borough of York but also their constituent groups to oppose the bill in its present form.

Frankly, I do not know whether the bill should be thrown out in its entirety. That probably would be my personal preference, something I would like to see for many reasons. If the duly elected members of the Scarborough Board of Education, for example, choose in their wisdom to adopt or reject a certain program, that is their responsibility to do so.

Interjection.

Mr. Cunningham: The minister interjects again.

Hon. Miss Stephenson: For the second time.

Mr. Cunningham: I appreciate her interjections because, unlike some members, I hold her in very high regard. My regard for her was enhanced during the course of the committee hearings.

I must say that my opinion is in variance with her statement. If in the funding process the ability to establish the number of teachers who are required to implement these programs is undermined in any way, it naturally follows that these programs will be undermined. That, in my view, would be very regrettable.

We heard from representatives of people who live in the city of Toronto and in the borough of York, and even from people who live in other jurisdictions, that while this very complex and large Metro board was not perfect, it was working; that while some minor problems have occurred over the last couple of years, the situation was not beyond repair.

I think it was a prominent Conservative member of this Legislature who once said, "If it ain't broke, don't fix it." I would not suggest everything is perfect in Metro, but I was impressed that with a little bit of common sense and a renewed effort to work together, what could be a very fine system also could be maintained.

It bothers me, as we approach consideration of the first section with a view to passing this bill, that possibly we are not considering the current views and feelings of the constituent parts of the Metro board with regard to the events of yesterday. I refer specifically to the election.

It would be very remiss of us to consider passage of this section, and the act as a whole, without regard to the overwhelming opposition that exists among the elected trustees and among the neighbourhood groups to which I have already referred at some length. I think that would be regrettable.

If members would reflect for a moment, they would see that removal of local autonomy undermines the ability of a school board even to control effectively the amount of money that

will be spent. With local autonomy in mind, my suggestion would be—

Hon. Miss Stephenson: But that is there now. There is nothing new.

Mr. Cunningham: The minister interjects again.

My suggestion would be to defer this legislation for a period of time and consult with several other constituent boards in the hope that there could be some generally recognized understanding and meeting of the minds on subjects such as the surplus and deficit situation. Frankly, I do not think that is as extreme a problem as many would have us believe.

The passage of this legislation will be a very regressive step, particularly this clause, which will mandate the participation of the city of Toronto and the borough of York in the bill. In speaking to this section and the amendment, I implore the minister to rethink her government's position on the legislation.

Many of us have had an opportunity to read an article in the November issue of Toronto Life. On the surface it looked like a feature on the minister by a Miss Maggie Siggins, but in reality it was a commentary on Bill 127.

Hon. Miss Stephenson: Quite inaccurate.

Mr. Cunningham: It may well be. One part of the article I did not regard as inaccurate was the comment that the minister "was a tough, hard-working, extremely clever person. She was expected to be an exceptional minister, a possible candidate for the party leadership should Bill Davis ever depart." I underline that comment, because it jumped off the page at me.

The minister was elected in the same year that I was, and I have always regarded her to be very clever and perceptive. The only thing that causes me to rethink my position in that regard and to question the efficacy of what Miss Siggins has written is the truculence the minister brings to the discussion of Bill 127.

Not only is it politically wrong for the minister to pursue this, and to do it at her personal expense and that of her government, but also I think it is inherently unfair to force a mandate, against their will, on the two boards of education, out of six, that represent a very large percentage of the Metro population.

Given the election yesterday and the overwhelming feeling against the inclusion of these boroughs in this bill, it would be prudent to reflect on the concerns of members of the opposition as well as those of the member for High Park-Swansea (Mr. Shymko) and the member for St. George (Miss Fish), who unfortunately are not in their seats. There are even rumours of some cabinet dissension represented by the member for Eglinton and the member for St. Andrew-St. Patrick (Mr. Grossman).

I ask the minister to reflect upon the amendment before her and to consider standing down this item of legislation for a period of six months or so, so that she may more accurately gauge the sentiments that exist in Metro. The presentations that were made to us were indeed impressive. Nothing has transpired in the past month or six weeks that would cause me to think the delegations' feelings on Bill 127 have changed. As a democratically elected Legislature, we have an obligation to reflect upon their feelings and to give great consideration to them.

Mr. Wildman: Mr. Chairman, I rise in support of the amendment largely because it attempts to restore the remaining bit of local autonomy that is now being taken away from the two particular boards mentioned. We have heard a lot of discussion throughout the second-reading and committee stages about local autonomy with regard to this legislation. There have been arguments as to whether the bill, as now drafted, removes local autonomy or protects it.

4:30 p.m.

The discussion is quite simple. The chairman and other representatives of the Toronto Board of Education appeared before the committee and told us their board was overwhelmingly opposed to this legislation. It is beyond my understanding that members of the government party can then argue that they are somehow protecting local autonomy by forcing that board, which is opposed to this legislation, to come under it.

Mr. J. A. Taylor: Who is arguing that?

Mr. Wildman: Other members of the committee will remember that during the committee stage, time and again the member for Wentworth (Mr. Dean) argued that this bill was designed to protect local autonomy. What a lot of bunkum. Two boards, including especially the Toronto board, came before us to say they were opposed to this legislation and gave a number of reasons; then a large group of parents representing parent-teacher and staffing organizations for schools within their jurisdiction came before us and supported the position taken by the elected

members of the Toronto board and said they also were opposed to this legislation. How then can any member of the government argue the government is restoring or maintaining local autonomy by forcing that board, against its will, to come under this legislation? What a joke.

I submit the member for Prince Edward-Lennox has not been directly involved with this issue. If he were, he would know that Bill 127 was one of the central issues in the recent municipal school board elections in Metropolitan Toronto. Many candidates in those elections ran either in support of or in opposition to Bill 127 and it was a central issue. For the member to argue that it was not and that yesterday's election did not in any way comment on the legislation is a complete misunderstanding of what happened here in this election. Just as the by-election on November 4 was a referendum on the lack of job creation and the failure by this government to deal with the economic problems we face, so in many ways the municipal school board elections in Metropolitan Toronto were referendums on Bill 127.

Mr. J. A. Taylor: You are fantasizing.

Mr. Wildman: The minister says that is right and I agree with her. She would probably argue that in many of the boards the vote was a referendum on Bill 127, saying, "We favour it." I suppose that is the position she has taken.

Hon. Miss Stephenson: Five of the six.

Mr. Wildman: Five of the six.

Hon. Miss Stephenson: You are saying that because Toronto did not think it should be delayed; they are part of Metro.

Mr. Wildman: I will accept the minister's position that there was a referendum and that in five of the six jurisdictions the people chose to support Bill 127. So, basically whathe is saying is that at least one out of the six chose to oppose it. The elected members of that board who had expressed opposition to Bill 127 did very well.

How can we then say we should force that board to accept this legislation and should force those parents and ratepayers who voted against Bill 127 to accept it? It is beyond me.

During the hearings we heard time and again the reasons the Toronto board did not wish this legislation to pass as it is drafted or, if it were to pass, that changes be made in the bill so it would be permissive and that board could choose to be within or outside joint bargaining.

Mr. J. A. Taylor: They can do that now.

Mr. Wildman: Exactly, they can do that now and we wish they could continue to do it, but they will not when this legislation is passed and that shows how little the member knows about it. We would like the situation we have right now to continue.

Unfortunately, this bill stops that from happening. This bill prevents a board from opting out of the bargaining as it can do now. The member for Prince Edward-Lennox was not a member of the committee so I do not really blame him for not knowing what the bill is about, but I wish he would read it before he starts to interject or participate in the debate.

Hon. Miss Stephenson: Yes, he was. He said you weren't a member of the committee.

Mr. J. A. Taylor: Intellectual arrogance, that's all you display over there.

Mr. Wildman: He was a member of the committee all right, but he spent most of his time sleeping, as many members of the government did when they were here—

The Deputy Chairman: I would ask the members to end the interjections and that we deal with the specific amendments before the House.

Mr. J. A. Taylor: Mr. Chairman, on a point of privilege: I do not think it is becoming for a fellow parliamentarian to make those types of personal comments. I do not think it adds anything to the debate in this sense.

Mr. Wildman: I agree and I withdraw the comment. It was not the member for Prince Edward-Lennox who was sleeping, it was the member for Fort William (Mr. Hennessy).

The Deputy Chairman: I appreciate we are having such a high level of debate here that it is nice to receive that at all times.

Mr. Wildman: One of the major reasons the Toronto board was opposed to this legislation and wished not to be forced into it was the problem it perceived would result because of the changes in what it can now do in terms of staffing.

The argument was made that, unless the board were allowed to continue what it is now doing, it would have to cut the numbers of staff and in so doing threaten programs that were central to the education of the children, as we were told by parents' groups, one after another, who came before the committee.

These are programs such as English as a second language, special remedial programs for inner city students, day care programs, many programs that I, quite frankly, was surprised to

hear and learn about as a member from outside Metropolitan Toronto. I was very impressed by some of the innovative programs the Toronto Board of Education has instituted, and other boards have followed suit to a greater or lesser extent.

These parents' groups appeared before us and said that unless their schools and the Toronto board were able to maintain the flexibility they now have with regard to staffing formula, those programs might be threatened.

The minister moved somewhat during clause-by-clause debate to deal with that problem. I admit that; she did. Unfortunately, she did not move nearly far enough in my view. We still face the problem, if not this year, then perhaps next year or the year after.

I know most members of the House support local autonomy with regard to municipal elected bodies and would not want to force this legislation on a jurisdiction where the ratepayers have stated overwhelmingly they are against it.

Some people might ask, "Why is this party introducing amendments in the House that have already been dealt with in committee and been defeated by the government majority?" There was a sort of six and five program in the committee where the six government members automatically voted against any amendment put forward by either of the opposition parties, and the five members of the opposition were not able to carry the amendment.

4:40 p.m.

It was amusing at one point, if you will allow me to digress for a moment, Mr. Chairman. When one amendment was proposed and we were voting on it, the member for Oriole (Mr. Williams) voted in opposition to the member for St. Catharines and then discovered afterwards that the member for St. Catharines had actually been voting with the government.

The Deputy Chairman: You did digress. Deal with the amendment, and then we can digress to the next amendment.

Mr. Wildman: I was going to suggest that the reason we were bringing these amendments into the House and that they were being dealt with here was that, unfortunately, a large number of members of this House who have a particular interest in this legislation were not able or were not available to participate in the debate on clause-by-clause or to hear the presentations made to us during the hearings in the committee. We felt that if we were to bring these amendments forward in this House, then those members, especially those from Metropolitan Toronto, from all sides of the House but especially from the government side, who had been unable to participate in clause-by-clause debate in the committee would now have the opportunity to express their views on the amendments.

I am very disappointed to see only one member from Metropolitan Toronto, the member for Lakeshore (Mr. Kolyn), here. I had hoped the member for High Park-Swansea would participate, since he has been most vocal outside the House on this legislation. I admit that he was very busy and had other committee assignments and could not participate in the debate in the committee.

The Deputy Chairman: Are you dealing with the amendment?

Mr. Wildman: Mr. Chairman, basically I am pleading with the member for High Park-Swansea, if he is anywhere within the sound of my voice, to come into this House and participate in the debate on this amendment and to express his views as to whether or not the Toronto Board of Education should be forced by this legislation to accept something that the ratepayers of this municipality have said they oppose. I am sure this member, if he is within the sound of my voice, will want to come into the House before we have finished dealing with this amendment to explain that he is opposed to this legislation and that he is opposed to the Toronto board being forced to accept it.

If that member is unable to attend, I hope it is not because the Minister of Education has muzzled him.

Hon. Miss Stephenson: You have got to be kidding.

Mr. Chairman: Never mind the interjections.

Mr. Wildman: I suppose that means it is impossible to muzzle the member. In that case, then, they just remove him so he cannot participate; either that or he removes himself, and I am sure that is not the case, because I am sure that member has the guts to stand up for what he believes in. Somebody else must be preventing him from participating in this debate.

I hope he will at least be able to persuade his colleagues over there behind the scenes to accept this amendment and not to force the Board of Education for the City of Toronto to come under this legislation. It is against their will and against the will of the ratepayers who voted in the municipal election yesterday.

Mr. Chairman, I plead with the members of

this House to support the principle of local autonomy and to support the amendment.

Mr. Haggerty: Mr. Chairman, I want to make a few comments on Bill 127, and perhaps it will be my first time. I want to speak particularly to the amendment and to the comments of the previous speaker as they relate to the amendment to exempt the East York Board of Education and the Toronto Board of Education; and I suppose they are basing their arguments on the recent election held on November 8.

But when we talk about local autonomy, I can recall Bill 44 in 1968, and I look at this as the final stage of the Robarts plan on the reorganization of education in Ontario. I was interested in that debate at that time and I got up and I spoke, in a similar vein to the member who has just spoken, about local autonomy. I suggested that with the reorganization of county school boards throughout the province, with the amalagamation from one township into a larger school area and then on to the Toronto boards of education, that local autonomy would be lost.

When we look at the amendment put forward by the socialist party to my left, it is amazing that they are opposed to this principle. I thought I should put on the record what was said at that particular time about the reorganization of county school boards into sections or school boards.

Mr. Chairman: Well, I don't think I want to hear it.

Mr. Cunningham: It is very germane.

Mr. Haggerty: I think it is worth while to refresh the memories of members as to just what goes on in the chamber.

The former member for Wentworth, Mr. Ian Deans, said, "As I said, the enlarging of the school jurisdictions, I believe, is a good step forward and the minister well knows my position with regard to the area of Wentworth."

Mr. Ferrier from Cochrane South said, "I, too, support the principle behind this bill, that it will give equality of educational opportunity to all sections of the province. I think this is probably a relative statement, but it is a step in the right direction. . ."

I just put that on the record.

Walter Pitman stood up and he spent hours debating this particular bill in the House and Walter could certainly talk in a debate; he could go on for days and days coming down very hard on both sides of the issue. But in the final analysis, the position taken by the socialist party was that they wanted centralization of school boards and local governments, and that they would have tighter and more stringent controls on it.

We come into the area of Bill 127 and it states we want to follow that same principle of reorganization of school boards throughout Ontario. It is interesting; during that debate, I received no comment about the reorganization of local school boards from trustees or teachers. All of a sudden, my desk is piled with literature today that these persons are opposed to it.

Mr. R. F. Johnston: Mr. Chairman, on a point of order: I missed the date that the member was speaking of about that debate. I wonder if he could repeat that.

Mr. Haggerty: I will read him a quote from it. This is from the Minister of Education.

Mr. Chairman: He just wants the date.

Mr. Haggerty: The debate was on April 2 and 3, 1968. I will make reference to what the Minister of Education said at that time. He was speaking to the comments I had raised along with the member for Welland South and the member for Niagara Falls. He stated as follows:

"We know of the Mayo report, and we have it available to us. We do not think that it provides the educational answers for that part of the province of Ontario. It, as I recall it, recommended a two-tier system of educational administration, the system that exists presently in Metro. And Mr. Speaker, there have been, as the honourable members know, some difficulties with a two-tier system approach. I believe that they will be resolved, and they will work. . ."

I think this is one area where the government is trying to keep the promise.

I bring that to members' attention. I support local autonomy and I wish the members from the far left here would stand up in the House and bring forth a resolution or an amendment to the present educational bill. Where there is a viable unit either in regional government, municipalities or school boards, I think they should have the right to a local autonomy.

Yesterday, in my area, the town of Fort Erie had a discussion on school policy in relation to the closing of additional schools in the Fort Erie area. Again, the people were uptight about it.

Mr. Chairman: Back to the amendment.

Mr. Haggerty: I am speaking to the amendment.

Mr. Chairman: How does Fort Erie work into paragraphs 5 and 6?

Mr. Haggerty: Why does the amendment

exclude the borough of Etobicoke? The city of North York? The borough of Scarborough? You can pick and choose as you want in this particular piece of legislation. All I am saying is that I support the principle of local autonomy, and I think that where there is a viable educational unit, they should be able to administer their own affairs and have local input from parents and teachers.

4:50 p.m.

One of the lessons I learned in the Niagara South Board of Education is that we destroyed the parent-teacher association there. There is very little input from the ratepayers or the parents with respect to the type of education they think is best suited to their children, and perhaps the same thing applies to the amendments to this particular bill.

The new trustees who have just been elected in the city of Toronto do not want to have any involvement of the Minister of Education except in the area of grants. In Bill 44 a number of members discussed the area of grants and the cost of education. I suppose that any school board in Ontario and the Metropolitan Toronto School Board would get along much better if the grant system were brought back from 50 per cent to 60 per cent, as it was a few years ago.

So on that basis, Mr. Chairman, I will not be supporting Bill 127.

Mr. Chairman: The member for Beaches-Woodbine, speaking to the amendment, I am sure.

Ms. Bryden: Thank you, Mr. Chairman. I certainly am speaking to the amendment. I think it is the only kind of amendment that will restore our faith that we do have a democratic system in Ontario. Because if governments appear never to listen to the people they represent, regardless of the extent to which those people attempt to draw to the attention of the government their opposition to its policies, then people may begin to wonder whether we are living in Ontario or whether we are living in Poland or in the Soviet Union.

Mr. Chairman: Speaking to the amendment. Come on.

Ms. Bryden: I think we should remember that the government opposite got only 25.6 per cent of the total eligible voters to vote for it in 1981.

Mr. Chairman: You promised me you would speak to the amendment.

Ms. Bryden: What I am saying is that the government, with that total, is saying that it knows best and that it is not willing to listen to the other 75 per cent of the eligible voters who have expressed to it their dissatisfaction with this legislation.

Getting right down to the city of Toronto: They have indicated in large numbers by the petition I tabled today that they are not satisfied with Bill 127, and they feel they want to make their representations known. I would like to quote just one comment from one of those petitioners, who said, "Bill 127 is an example of the lack of concern for our children's education." One of them made a plea, "Don't destroy local autonomy and remove important educational programs."

When people get together and send in 112 petitions from one riding, my own, it indicates that they are very unhappy with the effects this bill will have. When as many as 5,000 people rally in front of the Legislative Building, they are very unhappy with the results of this bill.

Mr. Chairman: But they are happy with your amendment.

Ms. Bryden: I think those people have a right to have their concerns about local autonomy considered and to be allowed the opportunity to tailor their own education system to their own needs.

They are not small numbers. The city of Toronto has a population of over 600,000, and many of those are children. Surely, it has the right to tailor its own educational system.

Last night, the Toronto Board of Education had an election in which not a single incumbent was defeated. There were six incumbents who chose not to run again, but not a single incumbent was defeated. Every one of those incumbents was part of the submission by the Toronto Board of Education to the hearings on Bill 127; a majority of them at least must have supported that submission or it would not have appeared. Sixteen incumbents were re-elected out of 22, from which it would appear their actions against Bill 127 were supported by the electorate.

What do these people fear about Bill 127? My colleagues and the members of the Liberal Party have indicated that loss of local autonomy is the major fear, loss of the opportunity to decide how much special education they shall have, how much ESL, how their staffing shall be arranged so they have the diversity of teachers they need, and so on.

Second, they are concerned about the loss of the power to decide on the size of the classes,

which can affect the quality of education they have come to expect. I think what they fear is the loss of accountability. If their school trustees do not have the say in the major decisions on the things I have just mentioned, they will have to go to a remote, nonelected board to get any of those things changed. They fear the nonelected board will not listen to them and will not consult them on those things.

They also fear a large metropolitan board will tend to become a bureaucratic board, that it will appoint a number of high-priced bureaucrats to decide how staffing shall be arranged, who shall have ESL or where the special education will go. The local schools of the Toronto Board of Education as well as those of the Board of Education for the Borough of York, I understand, have concerns that those bureaucrats will not listen to what the parents want. They will decide what they think is best according to an overall common denominator for everybody and there will not be diversity or quality of education in the Toronto school system.

Finally, people in Toronto who fear this legislation fear there will be teacher unrest and that there may even be more teacher disputes than we have had in the past. We have been fortunate we have not had many in the past. They fear there will be teacher unrest because of the rigid, collective bargaining system included in Bill 127.

In effect, they fear the whole system is denying the right of teachers to bargain collectively, to form associations of their own and to bargain with their own employers. The denial of this right may be contrary to the Charter of Rights which provides for freedom of association. This is an additional fear and a reason the city of Toronto should be removed from this piece of legislation. If there is going to be legislation that may be challenged, may cause additional problems in collective bargaining and may take away the sacred rights of people to organize and to bargain collectively, they fear they will not have a good education system in Toronto.

For those reasons, I think the minister should withdraw this bill. If she will not withdraw it, she should at least take out of it the two boards of education that have made the major protest against it. That would at least give back autonomy to those boards.

5 p.m.

We have to remember that when a large number of people are opposed to something, it is incumbent on governments to respond by introducing some modification, such as the modification that we are proposing to the bill.

I would like to point out that the petition which I presented today, in the form of a report card, rated, among other things, the willingness of the minister to admit mistakes. I think this bill is a case in point. When the minister started out on this bill, she may have thought there was some demand for it because of requests from the Metropolitan Toronto School Board. But she has found that the demand does not extend to the Toronto Board of Education or to the Board of Education for the Borough of York. She must show a sensitivity to the needs of others by withdrawing these two today.

Another point on the report card was how the minister and the ministry rate on sensitivity to the needs of others and respect for education. On most points the minister and the ministry scored a solid F, which was the lowest rating on the report card.

An hon. member: She deserves every one of them. It stands for "failure."

Hon. Miss Stephenson: No, it stands for "fine."

Ms. Bryden: It seems to me this is an opportunity for the minister to show that she does have a willingness to listen, that she does have sensitivity; that she is not running a juggernaut roller-coaster that shoves aside all opposition but is prepared to see that we have legislation which will produce quality education suited to the needs of each area and that parents and teachers will have input in that education.

Mr. Chairman: Does any other member wish to speak to the amendment?

Mr. R. F. Johnston: I would like to say something, but there is a motion whether or not the House should recognize my comments. Presumably it was put forward procedurally.

Mr. Chairman: The motion is out of order.

Mr. R. F. Johnston: Thank you, Mr. Chairman. I appreciate your leniency.

I rise to speak in favour of the amendment, which I know will come as a surprise to the minister. I heard her interject across the way that she has gone through three weeks of this, that nothing new is being said and that it is the same old thing from the New Democratic Party. I guess she is getting a little tired of us, but some of us were unable to be at all of those hearings. I was able to stop in only once or twice and, as a Metro member, I wish to get myself very firmly on the record about my attitude towards this bill.

As the Metro spokesman for my caucus and as somebody who works very closely with the members of the Toronto Board of Education, I can only say that this amendment to withdraw the Toronto Board of Education and the Board of Education for the Borough of York from consideration in this bill is crucial. Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act, really should be subtitled, "Let's bash the NDP-controlled Toronto Board of Education bill."

But, overwhelmingly, the people of Toronto told this minister and this government yesterday that they have no intention of being pushed around by this government; that they feel they have the right to autonomy and their own form of accountability; that they have the right to their own form of electing their representatives and giving them the power to make decisions on the programs and staffing in the city of Toronto and that they do not wish to be interfered with. That message from the last board was strong: 100 per cent opposed to Bill 127. I suggest that as of today the opposition is even stronger.

The NDP caucus is much maligned by certain members of the press because of its habit of trying to be consistent on policy matters and having a sense of accountability to policy and to its electorate. I suggest it is stronger now than it was before. Even under the attack by some members of the local media and some members of this Conservative government, we came back with an additional seat and just missed coming back with a 12th by about 100 votes, and the feelings of that board will be just as strong now in opposition to this being imposed upon it as it was before.

Hon. Miss Stephenson: Will they resign if the bill passes?

Mr. R. F. Johnston: Will they resign or will I?

Hon. Miss Stephenson: Would they resign?

Mr. R. F. Johnston: The government has a majority and can impose whatever it will upon the people of this province. We are seeing that in many bills being presented before us in this House. Should they resign?

Hon. Miss Stephenson: I asked you a question. Can't you answer it?

Mr. R. F. Johnston: If you do this, we can negotiate that. We would negotiate that on one basis: that they could then go back to the people for re-election the next day and take her Tory candidates on again and whomp them as we did yesterday.

Interjections.

Mr. R. F. Johnston: No, it is not just partisan. The honourable member is right. I should not be just partisan on this. It is not just the New Democrats. It is not just that horrendous New Democratic caucus which is so close-minded, as we have learned from Claire Hoy and other wise spokesmen in the press. He is right.

There are others. There is the Wrecking Crew, as she will now be known as of last night. A certain member, I believe his name was Mr. Muir, is now suffering as a result of a chance encounter with Nola Crew after the election—suffering in various ways, I would say. Nola Crew is the woman with the great right hand and a very quick knee, as I understand it. She was opposed to this. She did not want this imposed either.

I have it on some considerable good evidence that Nola Crew is not a New Democrat. That is true. I am not absolutely convinced that there was some connection with the Beavis-Clifford campaign. I am not one to say that was necessarily a Tory campaign and that was a partisan campaign that was run in ward 8, but even Nola Crew was opposed to this bill being imposed upon her. Therefore I would suggest if Nola Crew was in the House today—swinging, bobbing and weaving and taking on the government—she would be saying that this amendment being put forward by the member should pass.

Interjection.

Mr. R. F. Johnston: Is she here? I would like the security guards to please be forewarned that there is a possibility that Nola Wrecking Crew may be in the building, and that no one on that side of the House is feeling safe or secure. There is a rumour that Mr. Muir is not speaking with the same intonation as he did yesterday, but I cannot confirm that at all.

Mr. Foulds: With a slightly different pitch as well.

Mr. R. F. Johnston: A different pitch, that might be true.

Mr. Chairman, as I tried to say, it is not just a partisan matter at the local level. It is unanimous. It will be unaminous and reinforced by the feeling that they went to the people very directly on Bill 127. They got elected as being very directly opposed to Bill 127, and they feel they have a mandate that is much more current that the Minister of Education's mandate, a much more direct mandate than the Minister of Education's mandate to impose this kind of legislation on the city of Toronto.

I know the minister will say that five out of six

municipalities could be said to have had their own referendum in favour of Bill 127, and that is true. I would agree that the groups that were fighting Bill 127 in Scarborough did not win seats. In North York, they won a few seats. I might say we won three, in terms of our separate school representation who are opposed to Bill 127.

Hon. Miss Stephenson: How many?

Mr. R. F. Johnston: Three. But I will concede that we did not win the battle in that area. Now the minister will say that makes five, and she is right—five out of six.

Those who were not as offended by this bill as the people in Toronto have been, who are not the victims of the subtitle of this bill as attacking the Toronto board—

Mr. Grande: Four out of six, not five.

5:10 p.m.

Mr. R. F. Johnston: The member could probably clear that up on a point of order. If it is a case of four out of six, it is probably an important matter at this time. I think we need that cleared up.

Hon. Miss Stephenson: On a point of information, I will read into the record a letter from the Board of Education for the Borough of York. That board adopted a resolution in respect of Bill 127 which clearly says:

"That the Board of Education for the Borough of York endorses: (1) the concept of equal educational opportunity within Metropolitan Toronto subject to the provision of appropriate safeguards to funding and program arrangements to achieve this end;"—that we have done—"(2) the concept of joint bargaining with teacher branch affiliates, provided local autonomy is maintained in addressing and providing for local conditions;"—that we have done—"(3) the concept of prudent spending, but rejects the surplus-deficit provision until such time as the terms are adequately and specifically defined;" that is being done—"and (4) reiterates its position that balanced and equitable representation on the Metro school board is essential from each member board.

"Further, that the Metropolitan Toronto School Board, the Premier of Ontario, the Minister of Education, local members of the Legislature and all metropolitan area boards be apprised of this resolution."

In addition to that, I have a copy of the minutes of the Metro school board meeting at which the chairman of that board voted in favour of all sections of the bill, except two related to the deficit and surplus provisions because of the concern about the guidelines not being in place.

I believe it is a fact that all the incumbents of the York Board of Education were re-elected yesterday.

Mr. Chairman: The Chairman would like to bring to everyone's attention the fact that I have yet to know what a point of information is. However, with due respect to the minister, we will allow her to give one. Is there a point of information?

Mr. Stokes: It is quite in order for any member of this House to clarify the record and that is what the Minister of Education was trying to do.

Mr. Wildman: The minister gave us a point of misinformation, not information.

Mr. Chairman: What point does the member for St. Catharines have?

Mr. Bradley: My point is the point on which the minister rose. I will be very brief as I know you want me to be.

Mr. Chairman: A point of clarification?

Mr. Bradley: Yes. Would the minister reveal to the House whether that letter was written before the chairman of the board appeared in front of the committee and discounted that?

She said in the committee that what was said in the letter was not entirely true and accurate and did not reflect her position, so that letter is not much help. It is inoperative because they clarified the position further when they appeared before the committee.

Mr. Chairman: The member for Oakwood on a point of what?

Mr. Grande: On the point of information referred to by the minister.

For the benefit of the House, each member has received a copy of the letter that was sent by the borough of York to Metropolitan Toronto. The letter also appears in the Metropolitan Toronto brief that came before the committee. That particular letter was written some time in April or May.

Hon. Miss Stephenson: No.

Mr. Foulds: What was the date of the letter?

Hon. Miss Stephenson: June 14.

Mr. Grande: June, fine. Mrs. Pollock, the chairman of the Borough of York Board of Education, came before the committee and said: "What we said in the letter is true, provided you answered our questions. Up to this

particular time, Madam Minister, you have not answered our questions; hence we do not support this bill."

Mr. R. F. Johnston: Mr. Chairman, I found this all incredibly helpful, and I would like to thank the honourable members for their assistance in learning of the June 14, 1982, letter and the subsequent recanting before the committee that took place since that time.

Oh, perhaps there is another point of clarification that the minister would like to raise. I am willing to cede the floor. No? I believe all these things are very helpful to honourable members to make them understand just what is going on.

Mr. Wildman: I think it muddied the water.

Mr. R. F. Johnston: You do? It helped clarify things for me.

I was talking, as members may recall, about this amendment and the fact that four or five boards—and this argument is now so academic it is perhaps a little difficult to follow—would not like our amendments and would, in fact, like the city of Toronto and York to be included in this horrendous piece of legislation. I suggest that perhaps is true, that in fact the whipsaw effect that has taken place in terms of progressive moves made by the Toronto Board of Education, both in negotiations with its staff and in its changes in program which have had an impact on staff, has perhaps sometimes been embarrassing to other boards in Metropolitan Toronto, which had to follow suit more quickly than perhaps they would have liked to do.

I can speak for my own board—I can speak about, I cannot speak for—the board in Scarborough, which, I think, has often felt itself in that kind of position and is still reluctant even to participate in Ontario's heritage languages program, something the city of Toronto was very quick to join in and very quick to pressure changes in from the provincial ministry.

Hon. Miss Stephenson: No, it did not. You got the wrong source, but that is all right.

Mr. R. F. Johnston: The minister wants to assist me, but she will make only a short comment and then will not rise to clarify things. As a matter of my privileges, it would be very helpful if she would speak out in the House, rather than just interject, and clarify these things for me if I am misinformed. I would hate to act in a misinformed way in the House.

Mr. Chairman: Interjections are allowed.

Mr. R. F. Johnston: I just thought she was trying to be helpful and was not just interjecting for no purpose.

Hon. Miss Stephenson: Yes, I was trying to be helpful. You are misinformed.

Mr. R. F. Johnston: Did you catch that one, Mr. Chairman, or did you miss that too? Could we have that mike on, perhaps just at half level so we could pick up those interjections a little more clearly? I am having difficulty hearing them.

Mr. Chairman, I want to talk a little about why we are opposed to this bill being imposed on the city of Toronto board and the borough of York board. The two basic principles on which the Toronto Board of Education and the New Democratic Party caucus of the Toronto Board of Education have been operating in the last number of years are the principle of local autonomy and local decision-making and the principle of local accountability for those decisions and for policy accountability for board members.

It is for this reason that there has been caucusing and, I believe, a consistent and coherent policy developed at the city of Toronto, and it is because of another unique feature of that board, its phenomenal connection with its community, the community of parents and the community of teachers in Metropolitan Toronto.

I remember when there was a combined march on this Legislature. I believe this is in order. It is the uniqueness of the Toronto board that I am trying to talk about and why this imposition on the board is inappropriate, why Toronto should not be in this particular bill and why it is so important to understand that it is for these reasons of its uniqueness that it should not have this imposed on it. It has been a leader; it should not have mediocrity imposed upon it. It should not be held back. It should be allowed to be the board that breaks ground in this province, that sets examples.

I would suggest this bill will impede that. This bill will take away their powers of autonomy and their powers to act in such things as saving teachers' jobs, lowering class size, and projects such as having special education through the mainstream of the schools and not just in their—what a provocative look.

5:20 p.m.

Hon. Miss Stephenson: You really do not know what goes on in this province, do you?

Mr. R. F. Johnston: I believe I was speaking about what I knew went on in the city of Toronto.

Hon. Miss Stephenson: It goes on in many

other areas of the province as well, not just the city of Toronto.

Mr. R. F. Johnston: I would suggest that if you are looking for examples of a board that has tried to protect teachers' jobs, you will not find another example in Ontario where that kind of action was taken to save 100 and some jobs in Toronto.

Hon. Miss Stephenson: My primary concern is the kids.

Mr. R. F. Johnston: We believe, strangely enough, that there is a connection between teachers and kids. There is a connection between having adequate staff and low student-teacher ratios and the good education of children.

Mr. Rotenberg: There is a difference between adequate staffing and featherbedding.

Mr. R. F. Johnston: The member for Wilson Heights is essentially saying there has been featherbedding in the city of Toronto.

Mr. Wildman: I'd ask him to withdraw that.

Mr. R. F. Johnston: Was that not imputing something or other?

Mr. Chairman: Ignore the interjections. Speak to the amendment.

Mr. R. F. Johnston: The amendment is that the Toronto Board of Education and the Board of Education for the Borough of York should not be party to this bill. They should be taken from it.

Mr. Rotenberg: They voted for it.

Mr. R. F. Johnston: Is this helpful? Should I respond to him?

Mr. Chairman: It is not edible, or eligible, or anything. I cannot hear the member for Wilson Heights and I wish he would stop interjecting so we can continue.

Mr. R. F. Johnston: What I was trying to talk about was the uniqueness of this board and especially in its interaction with parents' groups and teachers and bringing those three groups together in a way that has been so useful in terms of developing responsibility and accountability of individual schools within the system, of parents being involved in decision-making in terms of the choice of principals, something which is sacrosanct in other areas where the principal is all-powerful, where the parents have very little say.

In Scarborough at the moment I am dealing with a principal who will not even allow a group of parents to set up a parents' association to try to develop some notion of accountability with that principal. That sort of notion is no longer acceptable. It is no longer tenable in the city of Toronto because of the neighbourhood councils.

We have seen the way that board has been able to bring together parents and teachers at mass rallies on various kinds of issues. Those things are not just things that have nothing to do with money. They all have an impact on the budgets of that board.

Looking at their leadership in terms of some recognition of labour's role in Ontario and their decision to try to get labour's history more coherently understood in the curriculum of that board, I would say they are without parallel in Ontario for their efforts in that area.

Another look from the minister, who is no doubt going to note this down so that she can tell me of other boards that have done as much, or more, in terms of trying to get recognition for labour's role and have worked so effectively with the Metropolitan Toronto Labour Council, for instance, in trying to develop that kind of curriculum.

This bill, as it is now, will restrict the activities of that board very clearly. Again the minister shakes her head. The minister may actually believe that it will not, but the entire Toronto Board of Education believes it will. The people who have the capacity to elect their board obviously believe that it will. There is no one who has been elected to that board who will agree that Bill 127 will be fine by them. Yet this government is deciding that it should impose this bill.

Mr. Rotenberg: Not in York.

Mr. R. F. Johnston: The member for Wilson Heights said, "not in York." I should come to York. We have been dealing a little with York already. I do not know whether he missed that portion.

Mr. Rotenberg: I heard it.

Mr. R. F. Johnston: Oh, he did hear it. If it will be helpful to him, I will indicate again that perhaps the York board has not been that excited about this legislation and that its board chairman came before the committee to indicate it was not pleased with Bill 127 even if it had written something on June 14 which indicated it might be.

Mr. Rotenberg: What happened to her yesterday?

Mr. R. F. Johnston: The board members who were elected have been returned, I understand. It was the Minister of Education who told me that just a few minutes ago.

Hon. Miss Stephenson: Were they all opposed to Bill 127?

Mr. Chairman: The Chairman, in trying to facilitate the passage or nonpassage of amendments, reminds all honourable members that the member for Scarborough West has the floor.

Mr. Nixon: But he's so boring.

Mr. R. F. Johnston: That is not true. The member for Brant-Haldimand-Norfolk, who is not even in his own chair, has said I am boring.

Mr. Nixon: Boring, boring, boring.

Mr. R. F. Johnston: He has said it three times now. Could it be true, Mr. Chairman? I need your guidance.

Mr. Roy: Whether I'm sitting in this chair or somebody else's chair, you're still boring.

Mr. R. F. Johnston: The member for Ottawa East has been known to provoke me before, and I know he does not want to get into the same altercation we were in the other night. This bill has been brought forward—

Mr. Foulds: Mr. Chairman, on a point of order: I am going to ask the member for Brant-Oxford-Norfolk to withdraw that remark under standing order 19(d)(11). The language used in these calm and rational circumstances was abusive, insulting and of a nature likely to create disorder. The fact it did not, simply speaks to the enormous self-control of the members currently in the House, particularly the member for Scarborough West.

Mr. Chairman: Using my judicial opinion as Chairman in interpreting the rules, I will not call the honourable member to order.

Mr. R. F. Johnston: The wisdom of Solomon has been bestowed upon you, Mr. Chairman. I only say in my defence about my boring them that the last time I looked around the House there was not one member sleeping. That surely is a record for anybody who has spoken for the length of time I have on this clause.

I am anxious that other members be permitted a chance to speak. It may be a secret to all members here, but the member for High Park-Swansea (Mr. Shymko), the member for St. Andrew-St. Patrick (Mr. Grossman) and the member for St. George (Ms. Fish) have all secretly, and I know I should not say this, asked me to speak for as long as possible to allow them the chance to come into the House to give us their views on this matter because they have been looking forward to this occasion.

Hon. Miss Stephenson: Mr. Chairman, on a point of order: Is it not important that members tell the truth?

Mr. Foulds: How would you know?

Hon. Miss Stephenson: Well, I do know.

Mr. R. F. Johnston: Perhaps I misinterpreted the messages I was being given and perhaps the members do not wish to speak, but it would seem passing strange they would not want to.

Mr. Stokes: It is important that all honourable members be honourable.

Mr. R. F. Johnston: That is right. I will try. I know the minister—

Mr. Wildman: Surely you were just assuming they wanted to speak.

Mr. R. F. Johnston: Perhaps I was assuming too much, but when I noticed the member for High Park-Swansea giving me a certain sign, which is often given in terms of being right on and "I am in total agreement," about an interjection that was being made—

Mr. Chairman: You are in big trouble now. I would like you to get back to the amendment.

Mr. R. F. Johnston: Am I in big trouble because the Tory whip is here or because the Sergeant at Arms is here? Or is Nola Crew outside again? My goodness.

Mr. Chairman: Back to the amendment.

Mr. R. F. Johnston: I want to say that, to my knowledge, the members of this Legislature from Toronto and the borough of York, outside of the minister herself, have not been heard in public agreeing with this minister's position. If I am wrong, then I suppose the Minister of Citizenship and Culture (Mr. McCaffrey) will want to rise now and say clearly that he is in favour of Bill 127.

Hon. Mr. McCaffrey: I've just got to make a phone call. I'll be right with you.

Mr. R. F. Johnston: I regret that the minister is unable to stay with us, but that was close; we almost had one who was willing to stand up and say Bill 127 was a good thing for his electorate.

5:30 p.m.

Interjection.

Mr. R. F. Johnston: Is the member from Toronto, the city of Toronto?

Mr. Rotenberg: I'm from North York, the same as the minister.

Mr. R. F. Johnston: Oh, I see; but not a member from the city of Toronto.

Hon. Miss Stephenson: Neither are you.

Mr. R. F. Johnston: But I said so.

Hon. Miss Stephenson: No. You said "Metro Toronto"; you didn't say "the city of Toronto."

Mr. R. F. Johnston: Might I be clear? Even though I am a member from Scarborough, I do not think any members from the city of Toronto or the borough of York in this House have been known to speak in favour of Bill 127, except for the minister.

Hon. Miss Stephenson: I am not from the city of Toronto.

Mr. R. F. Johnston: By God, she is right. So not even one. This has been imposed upon the city of Toronto from North York in more ways than I even thought. I thought perhaps part of her riding touched Toronto, because she knows it so well and is so sympathetic to that board's needs.

But not one member in this Legislature who is from the city of Toronto or the borough of York is in favour of this bill. Yet this minister feels she should impose this on the city of Toronto. Whether they are members of the government party, and there are many of them, or they are NDP members, and there are many of them, or they are Liberal members, and there is one of them—

Mr. Foulds: Is there? In the city of Toronto?

Mr. R. F. Johnston: Yes, there is one. The member for Parkdale (Mr. Ruprecht) is now a Liberal; short-term, but he is a Liberal. None of these people has spoken in favour of this bill.

Mr. Chairman: Or, for that matter, the amendment.

Mr. R. F. Johnston: Well, not so. The member for Oakwood is from York and he has spoken against it already.

Mr. Chairman: For the amendment.

Mr. R. F. Johnston: For the amendment; so has the member for—

Mr. Chairman: And which way are you speaking?

Mr. R. F. Johnston: As I think I made clear earlier on, but I suppose you want me to repeat myself, I am speaking in favour of the amendment. As a member from Scarborough, I confess that. Perhaps I am even speaking against the interests of the Scarborough board in terms of their position on this bill, but I believe them to be wrong. I believe them to be wrong on a number of things, and I have made that clear to them in the past.

Mr. Rotenberg: They got re-elected.

Mr. R. F. Johnston: Yes, they did.

Hon. Miss Stephenson: All of them.

Mr. Rotenberg: So their people are behind them; let's get both sides.

Mr. Chairman: Try to ignore the interjection.

Mr. R. F. Johnston: I have done it. I have ignored it.

Mr. Chairman: Thank you.

Mr. R. F. Johnston: You are welcome. It took a lot of self-control, but I just ask the member to look at Hansard and understand that I tried to bring in this other side of things that he is raising at the moment.

If the minister is so sure she has complete support for this in her caucus, I want to know why there is not someone in the seats over there from the city of Toronto who is going to be willing to speak in favour of this bill or against this amendment.

Mr. Wildman: Where is Susan Fish?

Mr. R. F. Johnston: Where is the member for St. George? Where is the member for High Park-Swansea, and where is the member for St. Andrew-St. Patrick?

We have a member from Toronto here. I have missed a member from Toronto who is sitting in her chair. I know she wants to be next to speak, and I presume she will be next to speak; she will rise and speak against this amendment—and she is showing great interest in the debate, I notice—in support of her local trustees or perhaps in direct defiance of her local trustees and their mandate of last night. But I presume that we are not going to be hearing much from that member, we often do not, and that we will not be hearing from other members.

It is wrong for this Legislature to impose this on the boards that are involved, and it is wrong for this Legislature to impose it on the members of the government party who live in the city of Toronto and it is wrong for them to impose it on the other members in this House from the borough and the city of Toronto who are opposed to this bill. Therefore, this amendment to take the city of Toronto and the borough of York boards out of this bill will pass.

Thank you very much, Mr. Chairman; sorry to be so short-winded.

Mr. Philip: Mr. Chairman, I rise to speak in favour of the amendment.

The minister has repeatedly stated that Bill

127 will restore the central purpose of the metropolitan form of educational governance, which is to provide the children of Metropolitan Toronto with equal educational opportunities. Notice that she uses the words "equal educational opportunities," but she does not make any allusions that this in any way will improve their education.

Basically, it means the Toronto board will be lowered to the mediocre level of many of the other suburban boards with which we have been acquainted.

Over the past few minutes of the debate, my colleagues and I have pointed out that Toronto has led the way in innovation. If this bill passes, Toronto will no longer have the power to negotiate directly with its own teachers.

I remind the members it was local bargaining that brought about the famous conclusion of "bodies for bucks" that resulted in the Toronto teachers agreeing to accept lower salaries to keep more teachers on staff. No one would disagree with the fact that this kind of agreement at the local level provided better education for our children.

To suggest somehow that we are taking the side of teachers against children is simply blatant nonsense on the part of the minister.

Let's face it: This is the big hand of centralization that is hurting local autonomy. It will mean small schools and certain special education classes will be closed, and local trustees can blame the Metro board and get off the hook for those kinds of decisions. In the Etobicoke area we have seen how the local school trustees tried to pass the buck to the minister for the closing of certain schools. She passes it to them. That is the kind of fiasco we have had as recently as a year ago in one of those closings.

This will give those local trustees the "out." They can blame it all on Metro. They will not have to take personal responsibility for it. Of course, the voters in those areas will see that central body as something that is "out there," rather than something that is directly in their community to which they can ask questions directly.

The minister likes to talk about children. One of the columnists who deals with children more than any other columnist in any of the major newspapers is Michele Landsberg. She describes what this bill does to children. She says: "The suburban boards have never had the guts to use their own taxing powers. They prefer to neglect the needs of the inner-city kids. Now they want Toronto to lower its standards to conform."

What we are seeing in the city of Toronto is that many of the suburban boards are being faced with those very needs; in fact, they are multiplied in certain areas such as Scarborough and Rexdale. Those are the very needs the Toronto board has been facing all along: the special needs of special groups, of immigrant children, of children from families that do not speak English or French as their first language, of transient children, of migrant workers' children, of the floating labour population that is often unemployed and is facing all those kinds of special needs, of certain ethnic groups to develop the kinds of systems that will create pride in their own culture and in their parents. Those are the kinds of things that Michele Landsberg says are in jeopardy and with which we are dealing in this bill.

5:40 p.m.

The minister talks about this bill as somehow equalizing opportunities for children. To me, opportunity means something that is a valuable thing, an opportunity to get better, but what this bill does is use opportunity in the negative sense, an opportunity to go down to the lowest, mediocre level. That is the kind of thing this bill is doing.

What our amendments do is say, "Local trustees should be responsible." Here we have two boards that clearly want to take on that responsibility, two boards whose trustees clearly say: "As elected representatives, we do not want to cop out. We want to answer to our voters; we want to make decisions, and we are willing to be accountable to them. We are not going to pass the buck to Metro. We are not going to shirk our responsibilities, and we are willing to stand by that." The minister, with the big hand of the central government, says, "No, you cannot do that."

In the 1920s and 1930s, we saw a theory emanating from a certain country led by a fellow by the name of Joe Stalin. That theory talked about democratic centralism. Today, we have the government in its own little way playing with a form of so-called democratic centralism. It may be democratic and it may be centralism but, in terms of the real democratic process of making local trustees answerable to the parents and taxpayers in their communities, it certainly is very undemocratic. I would think the minister would have some sensitivity to the local needs and the democratic process, but this bill clearly flies in the face of that.

I happen to think that for too long not enough emphasis or focus has been placed on educa-

tion. Part of that problem is that school boards have often met to deal with matters that the press have not taken a particular interest in until there is some kind of catastrophe happening, such as the closing of a school, a service that is being cut, or a strike. We are faced with one more step in a centralized process that makes it even more remote, even harder to understand.

The Minister of Municipal Affairs and Housing (Mr. Bennett) spent a lot of money—there was supposed to be a report this afternoon on whether it was successful—advertising for people to get out and vote. He wanted people to take an interest in municipal government. What the Minister of Education is doing is working in the exact opposite direction: making government more remote, making it less connected with the people, making it less easy for the ordinary person to understand, and making the average citizen feel less in control of the schools in his neighbourhood.

That is why the parents' group in Etobicoke came to the Legislature and asked if they could meet in a rational, reasonable, quiet way with all MPPs from the Etobicoke area. Of course, the member for Lakeshore (Mr. Kolyn) did not show up, even though he got a telegram, and he did not return the calls from the parents. He is afraid of the parents. He is afraid of local opinion. He is afraid of answering to the people.

Mr. Kolyn: Mr. Chairman, on a point of privilege: I was out of the country. I have never refused to see anybody from my riding in regard to Bill 127. My position on Bill 127 is known throughout the whole borough. I support it fully and always have. For the member to imply that I would not meet because he arranged the meeting has nothing to do with the facts.

Mr. Philip: He may have been out of the country. If he was out of the country, certainly his assistant did not know he was. If he was out of the country, certainly the other two MPPs from Etobicoke could not have been out of the country. The fact is that four MPPs were invited and only one showed up, and that was me.

Mr. Barlow: Tell us about the new trustees in Etobicoke.

Mr. Philip: Oh, the members want to talk about the new trustees. Okay.

Mr. Chairman: Order, order. No, we do not want to talk about the new trustees. We want to talk about the amendment from the member for Oakwood.

Mr. Philip: Mr. Chairman, I was provoked.

Mr. R. F. Johnston: On a point of order: I know that the member for Etobicoke would be willing to cede his place if the Attorney General (Mr. McMurtry) would like to speak in support of this amendment, to withdraw before he leaves—

Mr. Chairman: That is not a point of order. The member for Etobicoke will speak to the amendment.

Mr. Philip: I was trying to put to the member for Lakeshore the fact that the trustee who was most associated with being in favour of this bill would not take a chance on her re-election. She ran for alderman and was defeated last night. That is what the people of Etobicoke thought of Aileen Anderson.

But of the trustees who did run, the Catholic representative on the public school board in the north part of my riding got in by a landslide against the Tory candidate.

Mr. Chairman: The member will speak to the amendment. He is being awfully provocative.

Mr. Philip: I am being provoked, Mr. Chairman. When parents cannot get to see their MPPs, then I feel it is just typical of the arrogance in this bill. It is the same kind of arrogance that the minister has.

Mr. Chairman: The member will speak to the amendment.

Mr. Philip: She has complete disregard for the local taxpayers.

Mr. Chairman: The member has not mentioned the amendment yet.

Mr. Philip: Basically, this amendment follows a very simple principle. I know that as Chairman you are an educated man, a person who understands history and no doubt has read the papal encyclicals.

The papal encyclicals, rerum novarum and quadro jezilmilano—deal with a very important principle. It is the principle of subsidiarity. The principle of subsidiarity says that the smallest body that is capable of carrying out a function should be the body that does it. It is based on the simple principle that local people should have as much control as possible over those things that affect their lives. Surely, it is a very central principle of government.

This bill flies in the face of that. I suggest to the minister that in so doing it is a violation, not only in terms of making education less applicable to the very children we are supposed to be serving but, basically, it flies in the face of

making the democratic process more accessible and more workable.

Mr. Kolyn: Mr. Chairman, I would like to get up and make a few comments about Bill 127, and what it does to the taxpayers and citizens of Etobicoke.

First of all, I would like to mention to the member for Etobicoke North that I have never considered Etobicoke a mediocre board and never will, and neither has anyone else.

Mr. Philip: On the point of order, Mr. Chairman: The federal riding that I happen to live in is Etobicoke North, the provincial riding is Etobicoke. The member should learn the names of the ridings of the members in this House.

Mr. Kolyn: My apology to the member for Etobicoke. I certainly support the education Bill 127, and I believe the majority of the people of Etobicoke do.

Two or three months ago I had a newspaper column in which my position on Bill 127 was reported in the Etobicoke Guardian, which I am sure the member for Etobicoke has read.

I would like to mention a little bit of what it means to Etobicoke.

Mr. Chairman: Order. Should I bring to the member's attention that we are speaking to the amendment to delete—

Mr. Kolyn: It would be the first time, Mr. Chairman.

Mr. Chairman: Work it in. I heard what the member said. He will speak to the amendment.

Mr. Kolyn: I will speak to the amendment. Under the present system for financing Metro school boards, all surpluses must by law be returned to the Metro treasury at the end of the year. Generally, these surpluses have gone to help local boards that have run up a deficit.

As the Etobicoke Board of Education pointed out in its submission to the legislative committee which was examining Bill 127, Etobicoke taxpayers have been forced to pick up the tab for overspending by other school boards.

In 1981, for example, one Metro school board got itself into debt to the tune of $1.6 million. Etobicoke had to pay approximately $240,000 of that debt.

5:50 p.m.

This simply is not fair. Etobicoke has made the necessary cuts to its education system. We have accepted the necessity to close schools and cut staff because of declining enrolment. Other school boards, such as the city of Toronto board, have not, and we have been forced to pay for their decision.

Mr. Philip: On a point of order, Mr. Chairman: The member is not speaking directly to the amendment. I am sure he wants to tell about how in Etobicoke it takes two years for a child with learning disabilities to get into a special education class. That is fine later on in the bill, but it is not on the amendment.

Mr. Chairman: Order. I will give the member for Lakeshore an opportunity to finish some of his remarks to see whether he speaks to the amendment or not.

Mr. Kolyn: Thank you, Mr. Chairman. I certainly do like to speak for Etobicoke, because it seems that the member opposite is not interested in speaking for Etobicoke.

I join with the Etobicoke board in supporting Bill 127 for this fundamental reason: Bill 127 brings responsibility to the management of our education tax dollars; it means that local trustees who run up large deficits will be forced to face their own taxpayers rather than rely on the sound planning of others.

Long time area school board trustee Clare Farrow recently appeared before the legislative committee examining Bill 127. I have great respect for Clare and for his years of experience in our local school board dating back to 1963. Clare told the committee that the existing funding system for Metro school boards encourages spending with no incentive to save.

I think Clare was right in that observation. Today we simply cannot afford to have any part of our government program spending as though there were no end in sight. Government spending must be linked directly to what the community can afford. Without this link only bankruptcy and disaster will result.

This is why I am for Bill 127. We need responsible management of our tax dollars. In Etobicoke we have had this management for many years. Through Bill 127 this tradition of common sense and responsibility will be maintained.

Further, I might add that the Etobicoke Board of Education is 100 per cent behind this. We were one of the boroughs that wanted this type of legislation, and for the member to say anything contrary about Etobicoke is not exactly true.

Mr. Philip: On a point of order, Mr. Chairman: In fact, I did not say that the board of

education was opposed to it; I said those Tory dinosaurs followed the party line all the way.

Mr. Kolyn: Oh no, no.

Mr. Philip: I said it was the people of Etobicoke who were opposed to it.

Mr. Kolyn: It is not the people of Etobicoke, and you know it.

Mr. Philip: The easiest way would be to have a public debate in Etobicoke. I have challenged him to that on other matters, and he has yellowed out every time. He would yellow out on this one.

Mr. Foulds: Mr. Chairman, I rise to support the amendment of my friend and colleague the member for Oakwood, because I believe that if we ignore the principle enunciated in his amendment we do so at our peril.

The principle he has enunciated in his amendment is the principle of local autonomy, the principle behind which the Tories hide time and again when it suits their purposes. We see before us in Bill 127 the principle they abandon when it suits them, when they want to follow, as the member for Lakeshore and the Minister of Education want to follow, the Stalinist line of "democratic centralism."

Contrary to popular opinion, there is some slight connection between the quality of education and the amount of money you spend; there is some slight connection between the quality of education and the number of teachers you employ; there is some slight connection between the quality of education and the type of teachers you employ in the classroom and the individual attention you give to children.

I came to the Ontario Legislature in 1971 from northwestern Ontario under the mistaken assumption that Metropolitan Toronto was one great conglomerate. One of the delights I learned as the speaker on education for our party, and as a member of this House who resides in Toronto while the Legislature is sitting, is that Metropolitan Toronto is an urban metropolis but it has enormous vitality, enormous differences and enormous neighbourhoods with qualities and characteristics all their own.

It is to the credit of the Toronto Board of Education that it recognizes the importance of individual attention in the classroom and of neighbourhood schooling in a way that is seldom seen by any urban board. We see it in places in the north, in very small communities in rural Ontario, and the Toronto Board of Education sees it in this great metropolis. It deserves a lot of credit for that.

I believe the trouble with the mentality of the present Tory government is it sees this whole province as one huge municipality or one huge school board. This bill illustrates it would like to impose that uniform, straitjacket education right across this province.

While this party has breath to fight, it will not allow that kind of dictatorship to be imposed upon the local autonomy of the school boards of this province. We will not allow it. As a spokesman for our party who happens to come from northern Ontario, I will not allow it to happen to the Toronto school board. That is why my colleague and friend the member for Oakwood has moved this amendment to ensure that local autonomy is protected.

The minister says she would like to see equality of educational opportunity across Metropolitan Toronto. I thought that was the purpose of the Education Act. I thought the government's guidelines and policies with regard to education were that we had equality of educational opportunity across the province, not just across Metro Toronto.

Mr. Kennedy: That's what we have.

Mr. Foulds: You will get your turn to speak.

Mr. Kennedy: That's what we have.

Mr. Foulds: I would be glad to cede my place to the member for Mississauga South who obviously wants to get into the debate. Go ahead.

Mr. Kennedy: All right. Mr. Chairman, on a point of order: I will say what I said to him. There is equality of opportunity across this city and across this province.

Mr. Chairman: Order.

Mr. Foulds: The member makes my point that there is equality of opportunity across the city. Then why do you need this jackbooted bill to ensure it happens? That is the excuse the Minister of Education makes.

Mr. Kennedy: That bill won't change the equality of education. It will stay equal.

Mr. Foulds: There is a very important principle here, that of equality of education. I believe in that. Unlike the Tories and the Minister of Education, I do not believe in levelling down which is what this bill attempts to do; I believe in levelling up. I believe the programs the Toronto Board of Education has introduced, innovative as they are, should be available throughout the province.

If that costs us a few more dollars, we have to remember that the responsibility of the Ministry

of Education and of boards of education is not, as the member for Humber—is it Humber?

Mr. Kolyn: Lakeshore.

Mr. Foulds: I apologize. I meant the member for Lakeshore. It is not just a responsible tax dollar and to be responsible for the tax dollar, important though that is. It may be strange, but the responsibility of a local board of education, of a metropolitan board of education or of the Ministry of Education is to be responsible for the education of our children.

We cannot have equality of opportunity of education with the wording there is in clause 1 of this bill. That is why my colleague the member for Oakwood has moved this amendment to delete from this section the Toronto Board of Education and the Board of Education for the Borough of York.

We are approaching six o'clock and I have only a few more remarks to make. If you recognize it as being six o'clock, Mr. Chairman, I will take the opportunity of making those remarks when we resume at eight. I am willing to continue if you wish.

Mr. Chairman: It being six of the clock, I think it would be most appropriate that I leave the chair. We will resume at eight, when the member for Port Arthur will continue to have the floor.

The House recessed at 6 p.m.

APPENDIX

ANSWERS TO QUESTIONS ON NOTICE PAPER

REVENUE INCREASES

176. Mr. Breaugh: Will the ministry list all revenue sources which were adjusted upwards without requiring advance approval of the assembly in the past two years, such as Liquor Control Board of Ontario prices, licence fees and ad valorem changes, and state the value to the Treasury of the upward adjustment of such fees and taxes? [Tabled May 19, 1982]

See sessional paper 272.

ONTARIO HOUSING MANUALS

615. Mr. Boudria: Will the Minister of Municipal Affairs and Housing provide each caucus with an additional copy of the Ontario Housing manuals? If not, why not? [Tabled October 22, 1982]

Hon. Mr. Bennett: 1. In July 1980 one copy of each volume of the Ontario Housing Corp. Field Manual, Administrative Procedures, was supplied to each caucus office. In addition, the manual is available at all Ontario Housing Corp. branch and housing authority offices, the legislative library, the Ministry of Municipal Affairs and Housing library, and the Ombudsman's office, and copies are available to the standing committees of the Legislature.

2. The manual is readily accessible for reference purposes and distribution is controlled since its contents are subject to frequent revision.

SINGLE-INDUSTRY COMMUNITIES

649. Mr. McEwen: Would the Provincial Secretary for Resources Development provide the following information concerning the in-house interministerial committee on single-resource-industry communities: (1) the date on which this committee was appointed; (2) the terms of reference of this committee; (3) the involvement of this committee in providing assistance to date to any communities facing worker layoffs; and (4) the reporting date for this committee? [Tabled October 26, 1982]

Hon. Mr. Henderson: 1. November 1980.

2. The terms of reference state that, in order that the problems caused by economic changes in single-industry communities, primarily resource-based in northern Ontario, might be minimized, it was proposed that the interministerial committee develop an approach for communities in need of attention and bring its recommendations to the cabinet committee on resources development.

For the purposes of the committee, a single-resource-industry community was to be described as a community or a group of communities, basically related to a resource base for its existence and dependent upon single large employers, primarily, but not exclusively, located in northern Ontario.

Excluded from the terms of reference would be communities of diverse bases such as, for example, Oshawa, Thunder Bay, Oakville and Windsor.

The committee was not asked to undertake any original research, but to work with provincial ministries, drawing upon their experience and co-ordinating work already under way.

3. The committee was not involved in providing assistance to communities facing worker layoffs. It was not intended that the committee be operational.

The committee reported to CCRD on September 23, 1982, and the report, along with the cabinet documents, is still under consideration.

INTERIM ANSWERS

549 to 589: Hon. Mr. Norton—Additional time will be required to provide responses to the above-mentioned questions. The answers will be completed on or about December 17, 1982.

591: Hon. Mr. Sterling—We will require additional time to prepare an answer to the above question. The answer will be forthcoming on or before December 17, 1982.

592 to 611, and 616: The following statement was prepared under Cabinet Office letterhead:

The government will attempt to provide an answer to as many questions as possible before the adjournment of this session.

It should be noted, however, that the tremendous increase in the number and complexity of questions placed on the Order Paper would require that increased amounts of time and manpower be diverted from present assignments in order to provide the information requested. An alternative would be to increase the resources allotted to the performance of this function. At a time when the government is endeavouring to adhere to an ongoing restraint program, neither course of action would seem to be appropriate.

Should there be questions that cannot be answered in the remaining weeks, given these circumstances, members should note that sources other than the Order Paper may be utilized as part of the search for such information.

For example, the Public Accounts of Ontario will be of assistance in regard to many of the questions dealing with expenditures. Questions of this nature can also be directed towards the ministers responsible for such transactions during the estimates process.

All honourable members enjoy access to the research and information services provided by the legislative library, and the Liberal and New Democratic parties each possess their own research capabilities funded through the budgets accorded both parties.

It is hoped that through a combination of these approaches, with the full co-operation of ministers and members, all honourable members will be able to attain the information that they seek.

Every effort will be made to answer the following questions on or before December 17, 1982: 592 to 611, and 616.

617 to 643: Hon. Mr. Wiseman—The ministry will require additional time in which to research and compile the information requested in these questions. Answers will be provided on or before December 17, 1982.

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Evening Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Tuesday, November 9, 1982

The House resumed at 8 p.m.

House in committee of the whole.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT (continued)

Resuming consideration of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act.

On section 1:

The Deputy Chairman: We are dealing with a motion which is the amendment before you and which has been duly moved. I will read it in order to refresh our memories.

Mr. Grande moved that the Board of Education for the City of Toronto and the Board of Education for the Borough of York be struck from section 1.

We are speaking to that amendment. I call upon the member for Port Arthur.

Mr. Foulds: Thank you, Mr. Chairman. Before we rose at six o'clock I was speaking to the principle of the amendment before us.

To bring you up to date, before the House recessed we were debating the amendment you have just read. If you will check the Hansard, you will see that the chairman allowed enormous latitude, which my colleagues and I did not take advantage of. However, the member for Lakeshore (Mr. Kolyn) spoke widely to the principle of the bill and that is, of course, entirely justifiable, which is how the previous chairman easily saw it.

The Deputy Chairman: If the honourable member and I may have an understanding, I would appreciate most genuinely that we speak to the motion on the floor. If there are generalities I will be doing my best to bring you back to the motion.

Mr. Foulds: I will also advise the chairman to bring back whatever generalities may pass my lips and apply them to this particular amendment to this particular section of the bill.

You will note in looking at the amendment which is before you and before the rest of the members of this House that the first section of the bill deals with definition. It defines the terms under which the bill, and therefore part VII of the Municipality of Metropolitan Toronto Act, will apply. In other words, it sets out the framework in which this legislation and the substantive clauses of the legislation must operate.

The reason that my colleague the member for Oakwood (Mr. Grande) wishes to have the Board of Education for the City of Toronto and the Board of Education for the Borough of York struck from the bill, is to give at least those boards the local autonomy which they so richly deserve and which they have requested. It is also to ensure that local autonomy, a principle which members well recognize is the basic and guiding principle that the Conservative Party wraps itself in when it deems it necessary and repudiates when legislation such as this is brought forward.

It is important when we consider local autonomy to consider the kind of special situation that occurs within the jurisdiction of each board of education. I would submit that the jurisdiction of the Toronto Board of Education and the educational problems it faces are substantially different from the needs and particular kinds of education programs that one might need, for example, in the borough of Etobicoke or even in Scarborough West. I think the City of Toronto Board of Education has been enormously innovative and has set standards of pioneering in special education, in English as a second language and in neighbourhood schools that should be a model for other boards but should not necessarily be imposed on other boards.

I would also suggest that programs like those in the Etobicoke Board of Education—which, as my colleague the member for Etobicoke (Mr. Philip) has indicated, has a waiting list of two years, I think it is, for admittance to special education classes—are not standards that should be imposed on all of Metro Toronto. I am afraid that the definition section of this bill—to be amended, I hope, by my colleague from Oakwood—imposes a levelling down of educational standards in Metropolitan Toronto, and I would be loath to see that happen.

I have to ask why it is necessary to make one super board of education which has authority over all the subsidiary boards of education within the umbrella of the Metropolitan Toronto

School Board. That is a serious mistake. The amendment my colleague offers is a genuine amendment in that it tries to allow the opting out from this iniquitous bill, particularly by that board of education which has very clearly indicated that it does not wish to be under the aegis of the bill. I would like to know why the minister felt it necessary to impose this bill, because this section is simply an attempt to level down education across the jurisdiction of Metropolitan Toronto.

It is important to realize that local autonomy is a very important principle. Even though as a northern member I sometimes feel anger and frustration at the dominance that Metropolitan Toronto has over the politics, economics and social life of Ontario, I recognize it as a reality. Unfortunately, this kind of bill tries to obliterate the creative differences that occur from board to board. I believe very much in those creative differences, and I very strongly urge you, Mr. Chairman, and through you the other members of the House, to give serious and full consideration to the amendment put forward by my colleague, because it has a couple of basic principles that are important to education and to legislation.

8:10 p.m.

The amendment recognizes the principle of local autonomy, it recognizes the principle of democracy, it recognizes education is something very special to a particular area and it recognizes local boards are the best vehicles to deliver that education to the pupils it is their responsibility to serve. Once one tries to amalgamate those local boards into a huge conglomerate, one loses something. One loses something that has to do with individuality, something that has to do with quality, and something that has to do with the special programs that have been devised by the Toronto Board of Education.

I have heard a lot of complaints from Tories, from the government and even from the member for Lakeshore, who said that those special programs, innovative programs and pioneer programs sometimes cost the taxpayers a little extra money.

Mr. Philip: They would rather put them in jail a few years later than deal with them where the problem is.

Mr. Foulds: Exactly. My colleague the member for Etobicoke interjects about the costs and I happen to know a little about the costs.

Mr. J. M. Johnson: Let him speak.

Mr. Philip: I already have spoken.

Mr. Foulds: You can speak many times. Let me tell my good friend something—

The Deputy Chairman: I ask the member for Port Arthur not to respond. You have been doing a wonderful job of sticking to the motion on the floor.

Mr. Nixon: Mr. Chairman, what is he drinking?

Mr. Foulds: Let me taste it and find out.

The Deputy Chairman: There are standards concerning things we do not allow. I would ask you to have that removed.

Mr. Foulds: I will ask one of the pages to take it out.

The Deputy Chairman: Would you please remove that liquid? I find that quite offensive to the House.

Mr. Foulds: It is simply Coca-Cola. Where was I?

The Deputy Chairman: I believe you were speaking to the motion on the floor and I ask you to speak to that.

Mr. Nixon: Don't pour it on a plant or it will kill it.

Mr. Foulds: Don't pour it on the varnish; it will take the varnish off. Who brought that to the Chairman's attention? Was that you?

Mr. Nixon: Me.

The Deputy Chairman: Speak to the amendment.

Mr. Foulds: Sorry, Mr. Chairman. We know that the cost of not delivering proper programs to children the way the Toronto Board of Education delivers them is enormous. We know, for example, that the cost of maintaining someone in a correctional institution in this province is between $21,000 and $42,000 a year depending on the type of institution.

We know that if one takes the commonly accepted definition of a learning disability, about 75 per cent of the people in correctional institutions in this province have a learning disability which was not attended to early enough in the education system the way the Toronto Board of Education is attending to special education for children with learning disabilities.

For all those reasons, I suggest to my colleagues in the House that the amendment put forward by my colleague the member for Oakwood is an amendment they should not only accept, but wholeheartedly support and vote for.

The Deputy Chairman: Does any other member wish to participate in this debate? I can see several members standing and I call upon the member for Downsview (Mr. Di Santo). Maybe the member was not here when I made the remark that we are speaking to the motion on the floor; that is, the boards of education amendment.

Mr. Philip: On a point of order, Mr. Chairman: I do not see a quorum.

The Deputy Chairman: There is a quorum present.

Mr. Di Santo: Mr. Chairman, if your remark to stick to the amendment was friendly advice I will accept it, but if it was an attempt to intimidate me I reject it.

Never since I was elected to this Legislature have I ever been put in a position where I could not express myself freely. In fact, I will speak to the amendment and I would like to—

The Deputy Chairman: May I just remind the honourable member, you can speak freely to the motion, which is an amendment. That is all I ask that you do. You have the freedom to carry on from there.

Mr. Di Santo: That is exactly what I will do. I will also ask the member for Wellington-Dufferin-Peel (Mr. J. M. Johnson) to pay attention, because even though this has nothing to do with pits and quarries it is very important for your constituents, even though he does not believe—

The Deputy Chairman: That is not speaking to the motion. You are starting off on another subject.

Mr. Grande: There was an interjection.

The Deputy Chairman: I will try to keep the interjectors quiet.

Mr. Grande: That's right; keep them quiet.

The Deputy Chairman: And you too.

Mr. Di Santo: Mr. Chairman, I like this type of dialogue with you because it broadens the discussion and every member in the House will benefit. I actually invite every member to participate, because it becomes a collective discussion. Those who do not feel like participating in this debate on this motion will benefit.

I know there are members who represent Metropolitan Toronto, like the Minister of Education (Miss Stephenson) and other members, who are afraid that the discussion on the amendment introduced by my colleague the member for Oakwood will—the minister is paying immediate attention and I know that she should because we are discussing—

Hon. Miss Stephenson: Tell me what it is you are going to say? You haven't said anything yet.

Mr. Di Santo: We are discussing the amendment. For us who represent the west side of North York, that is extremely important. In fact, we have been against your amalgamation because we do not want to be—

Hon. Miss Stephenson: There is no amalgamation in this bill.

Mr. Di Santo: Okay. Can the minister explain why—

Mr. Wildman: Just subjugation.

Mr. Di Santo: Yes. They want to co-opt the city of North York, the borough of Scarborough, the borough of York, the borough of East York and the city of Toronto under this cumbersome Tory umbrella which is the Metro board. We understand why. That is why I rise in support of the amendment introduced by the member for Oakwood.

Mr. Philip: Those candidates who opposed the bill had a resounding victory last night.

The Deputy Chairman: The member for Etobicoke, one of your compatriots, the member for Downsview, has the floor. Please respect his opportunity to speak to the House. He has the floor and we look forward to him speaking to the motion.

Mr. Di Santo: We have been fighting for many years to have boards of education and administrative bodies that would represent the interests and the needs of the local communities. We have been doing that, not because of an ideological choice, not because all at once we decided that it was a better choice, not only because the Tories wanted huge bodies under their control, we did that deliberately because we live in our communities and we know the educational needs of our communities.

Anywhere in the great riding of Downsview, the people who live there are working people, unlike the people who live in the riding represented by the Minister of Education.

Hon. Miss Stephenson: Everybody who lives in my riding is a working person.

The Deputy Chairman: There is no need for interjections. We are speaking to the amendment.

8:20 p.m.

Mr. Di Santo: I know that the Minister of Education is touchy; that is why she never comes west of Yonge Street, because she does

not understand the people who live west of Yonge Street. She does not understand—

The Deputy Chairman: You are not speaking to the motion at this point.

Mr. Di Santo: I am speaking directly to the motion.

The Deputy Chairman: It is a motion. Speak to the motion.

Mr. Di Santo: I am saying that if the Minister of Education were one day to come to the riding of Downsview or anywhere west of Yonge Street she would realize that the needs of the people who live there are quite different from the needs of the people who live in her riding. There are no wealthy people in Downsview. There are working people, immigrants, South Americans who do not even speak English. If she comes—and this is an open invitation to all the Tory members—

Hon. Miss Stephenson: I have been there many times. I don't need an invitation from you.

Mr. Di Santo: If the minister has come to the west end of North York many times she must have been quite invisible, because no one noticed her presence.

The Deputy Chairman: Speaking to the motion, please.

Mr. Di Santo: Yes, Mr. Chairman. I want to thank you, but the interjections—

Hon. Miss Stephenson: I do not seek publicity; I seek information.

Mr. Grande: We are giving you some.

The Deputy Chairman: Please. The honourable member is speaking to the motion on the floor.

Mr. Di Santo: It is quite difficult for me to co-ordinate my ideas even though it is very clear to me and to the members of the New Democratic Party why this motion is important. I was trying to say that if the minister had any acquaintance at all with the people who live in my riding, she would have realized why last night in Downsview they elected five members of the NDP to the North York Board of Education: three of them, including my wife Maria Augimeri, as separate school representatives to the North York Board of Education, and two to the public school board.

It was a very clear victory. We swept every possible poll in Downsview. The Minister of Education is very well acquainted with my wife's opponent, who was the incumbent, a Tory member who shared the platform with the minister in support of Bill 127.

Mr. Wildman: Is that why he lost?

Mr. Di Santo: And he lost miserably.

Hon. Miss Stephenson: Who was it? I don't even know who you are talking about.

Mr. Di Santo: Peter Carusi. You know him very well.

Hon. Miss Stephenson: Peter Carusi is a separate school trustee.

Mr. Di Santo: Exactly. What are they? Second-class representatives?

Hon. Miss Stephenson: No, but he was not on the platform.

The Deputy Chairman: We are talking to the motion on the floor as it pertains to the Board of Education for the City of Toronto and the Board of Education for the Borough of York.

Hon. Miss Stephenson: Mr. Chairman, on a point of clarification: Mr. Peter Carusi, who is—or was—a member of the separate school board for Metropolitan Toronto—

Mr. McClellan: Was. Past tense.

Hon. Miss Stephenson: I said "was." He was not present on a platform with me on the occasion the honourable member is mentioning. He is a separate school trustee, and this bill does not apply to him.

The Deputy Chairman: So now if the honourable member will continue to speak to the motion on the floor.

Mr. Di Santo: Before continuing on the motion, on the same point of privilege I must remind the Minister of Education that Mr. Peter Carusi was sharing the platform with the former chairman of the Board of Education for the City of North York, Mr. George McCleary, who has been replaced by the NDP candidate Errol Young.

The Deputy Chairman: I would ask you to tie your remarks in to the amendment on the floor.

Mr. Di Santo: Yes. Just to refresh the memory of the Chairman and all the members, we are discussing in this motion the reasons we are opposed to having one Metro board that deals with the problems of education in all the municipalities in Metropolitan Toronto, and for that reason I must say that the member for Oakwood moved that the Board of Education for the City of Toronto and the Board of Education for the Borough of York be struck from section 1 of the bill.

From that I deduce that if the city of Toronto

and the borough of York are not part of the Metropolitan Toronto School Board, then the other boards could have more autonomy to deal with their problems. That is the reason I dealt specifically with the borough of North York.

It is the same principle. If we really believed that educational problems in certain areas should be dealt with by boards of education that reflect the needs of those areas, then we would accept the principle that we should have not only a board of education for the city of Toronto and a board of education for the borough of York but also boards like those we now have for every other municipality.

I know the minister will not accept that, but if she had looked carefully at the results of yesterday's municipal elections in Metropolitan Toronto, she would have realized it was a referendum on Bill 127. In every meeting I attended, she lost the referendum.

The real reason my colleague moved that the city of Toronto and borough of York boards be recognized as special entities is that last year, when the Toronto Board of Education—and I think the elections yesterday speak directly to this amendment—set up a task force to study the feasability of introducing heritage languages in the normal school hours, the Minister of Education was the first one to rise up and speak out against the task force even before it had reached any conclusions. When it came to the conclusion that it was not only feasible but also desirable that heritage languages be part of the normal curriculum—

The Deputy Chairman: I ask the member to come back to the motion on the floor.

Mr. Di Santo: I am talking about the Toronto Board of Education.

The Deputy Chairman: As to how it should be removed from the act.

Mr. Di Santo: I am explaining why it should be removed. You remember very well, Mr. Chairman, when the Minister of Education stood up and accused the board of wanting to balkanize the school system by introducing heritage languages as a part of the curriculum. Tony Silipo, who was the chairman of that task force, was re-elected yesterday with a great plurality.

Hon. Miss Stephenson: Scarcely a great plurality.

The Deputy Chairman: Will the member please tie his remarks to the motion that is on the floor?

8:30 p.m.

Mr. Di Santo: That is the reason we want the Toronto Board of Education to be treated as an autonomous entity outside the Metropolitan Toronto board. We believe that experiment would have been accepted with an open mind if another person had been minister.

The minister knows very well that elsewhere in the world that process has been accepted with positive results for the educational system, for the children and for society at large. She knows what is happening in Florida, in southern California and in Massachusetts.

Closer to home, the minister knows that in Montreal there is a Talmud school, which is a trilingual school in English, Hebrew and French. What is important to notice is that the students who come out of that school and attend university having the three languages perform much better than other students.

In Manitoba and Alberta there are bilingual schools where 50 per cent English and 50 per cent Ukrainian are taught and the students in those schools are performing extremely well.

What is the reason, then, for the minister to be opposing the experiment undertaken by the Toronto Board of Education? I cannot understand any other reason but the political reasons that are behind the government and the way the government deals with that section of the population which usually does not follow the control of the Conservative Party.

From an educational or a social point of view, or considering the growth in our society and the enrichment of values of what we call a multicultural society, I cannot see any possible reason why the Minister of Education and the government would oppose a process that could be beneficial for everybody.

But there are political reasons. Even though the minister will deny it, I know the way they look at those people who would attend heritage languages classes integrated into the normal curriculum. The Minister of Education is more experienced with the children of the bourgeoisie of her riding who take immersion courses in French and who attend private schools. For them, there is no problem because they come from wealthy families. They can attend schools where—

Hon. Miss Stephenson: Oh no they don't. You don't even know. Why don't you come over and visit my riding for a change? You don't even know where it is.

The Deputy Chairman: I ask the honourable member to tie his remarks to the amendment

that is on the floor. I think it is getting a little bit off topic.

Mr. Di Santo: Mr. Chairman, I think it ties in directly to the motion.

The Deputy Chairman: Which is an amendment "that the Board of Education for the City of Toronto and the Board of Education for the Borough of York be struck from section 1." That is what we are debating.

Mr. Di Santo: Mr. Chairman, I am explaining why they should be removed from the list in section 1, and I think that I am allowed to explain the reasons why—

The Deputy Chairman: As long as it is tied into that, we look forward to hearing from you.

Mr. Di Santo: The children of the bourgeoisie represented by the Minister of Education do not need these types of classes, because they attend schools where they have the kind of education that their parents want to give to them because they can afford it.

When you have children of working class families who cannot have special education because their parents do not have special means and cannot afford to send them to special teachers, then you need a local body that responds to those specific needs.

If you have a bureaucratic board like the Metro board, where the people are not elected directly by the voters and are not accountable directly to the voters but are elected by the elected members of the boards, most of whom are independent, we know what that means. In effect—

Mr. Wildman: That is independent spelled with a "c".

Mr. Di Santo: With a capital "C" also. They are Tory hacks who take orders from the minister and eventually share the platform with her in dictating the education policies to their constituents. If you have that type of bureaucratic organization, you cannot respond to the needs of the communities.

Everybody will understand that if we have a board of education in the city of Toronto, it is most likely the trustees sitting on that board will be more in contact with the local communities, if only because they must seek re-election. They must be in contact with reality, have some communication with their constituents and therefore be more accountable to them in a way that directly reflects their needs.

If this structure based on local autonomy disappears and is replaced by a larger Metro board—

Mr. McClellan: Look who's here; the Premier (Mr. Davis).

Mr. Bradley: He's going to announce the withdrawal of the bill.

The Deputy Chairman: Order.

Mr. McClellan: This is only the second time in eight years.

Mr. Di Santo: Somebody suggested the Premier wants to do what the Minister of Education should do, withdraw the bill. The Premier does not want to do that because it was a collective decision of the government.

The Deputy Chairman: Please speak to the motion on the floor.

Mr. Di Santo: Let me go back to this important amendment. We realize that if this amendment is accepted at least in a very minor way we could repair some of the harm that will be done if the bill is accepted as introduced by the Minister of Education. We could at least preserve in Metropolitan Toronto the Board of Education for the Borough of York and the Board of Education for the City of Toronto. As far as the city of Toronto is concerned, we could preserve some of the experiments we think have been very positive.

I have talked about the heritage languages program, the task force that was set up, the long process and the huge participation of the public in the hearings of the board of education which expressed not one view but the views of several groups and individuals who saw the program in a different way.

It was essentially a democratic process that took place at the local level, because we had a board of education made up of trustees who had a direct line to their constituents and could therefore understand their needs and give them a forum where they could express their opinions.

That will no longer happen if we have a Metro board. There will be a direct line, not between the trustees and the constituents, but between the Minister of Education and the members of the Metro board. Then there will be a magnification of a process that will be essentially against the interests of the people, especially the part of our population that is less able to express itself, less vocal and less able to exert pressure. Therefore, perhaps it will help the Conservative Party to preserve some positions of power in the education system in Metropolitan Toronto to the detriment of the general public.

8:40 p.m.

The process that was undertaken last year,

which the Minister of Education opposed so vehemently, was very important, especially in the Toronto Board of Education. I think that was one of the main reasons she decided that should not happen any longer. We realize that was a crass political decision that had nothing to do with the educational needs of the children of Metropolitan Toronto but, rather, with the position and power of the Conservative Party.

We are in favour of this amendment, because what happened last spring in Toronto was so important and so essential for those of us who are not part of the Tory power structure in Ontario but who are part of the public whose needs are not always understood by the government. It was extremely important, because we have been fighting for many years to have heritage language programs.

I remember 10 years ago we had the problem of vocational schools in Toronto. I was quite new to this city. All at once, we realized there was a very large number of students of ethnic origin and children of Canadian workers who ended up in vocational schools.

I do not know whether it was by accident or design but all the vocational schools were located along the Bloor subway line where most of the immigrants lived at that time, and nowhere else. We had to fight to make the officials of the board of education understand that this was irresponsible.

Thousands of children were sent to vocational schools. They would stay there for years and at the end would come out without a diploma, without an education and without a skill. They would be lost to our society and relegated to menial jobs. In many cases they were not qualified for any kind of job.

At that time, a group of us in our community went to the Toronto Board of Education and, after a series of public meetings and discussions, we were able to rectify that situation. We were dealing with a body that was in direct contact with the needs of the local communities. They were accountable to us.

I remember with some pride the long meetings we had at the board of education building on College Street, sometimes until one or two o'clock in the morning because there was a problem of language.

As many Conservative members know, some of us speak with an accent and at that time our English was probably not understandable at all. We had a communication problem, but we were able to make them understand that vocational schools were not the solution to the problem of immigrant children in Metropolitan Toronto.

The Toronto Board of Education library has several studies on children in transitional classes, children of immigrants, how they performed in school, children with English as a second language and children with English as a first language but with immigrant backgrounds.

In the end, after two long years of discussions—and I must say that at that time, fortunately, there was another Minister of Education who was more receptive to our requests—we were able to change that situation. The Toronto Board of Education adopted a policy that responded much better to the needs of those children. After they had received their education in vocational schools, they were allowed to take academic degrees by going to universities or community colleges.

We were able to do that only because we were dealing with the Toronto Board of Education and the trustees who were directly accountable to the community, to the people they represented. If we had been dealing with Tory Metro board, we would have got nowhere. We would have been dealing at the Metro level with people who had been elected in Scarborough, East York or Etobicoke, who had no understanding of the problems and who had no need to justify themselves.

If you were a trustee elected in Etobicoke or Scarborough, you would not be accountable to the people who lived in the city of Toronto. You could not care less whether your decisions would be accepted by the constituents of the city of Toronto, because at the next election you would not face them. Your constituents would be in Scarborough, and their needs would be completely different from those of the people living in the city of Toronto.

I am sure everybody understands that a trustee sitting on the Metro board would be motivated quite differently from a trustee sitting on a local board.

Mr. Chairman, I think you understand why we would like to preserve the autonomy of the Toronto Board of Education. It is not only for the reasons that I mentioned, but also because we think everyone now accepts that huge, bureaucratic bodies are less effective, more expensive, costlier and do not deliver.

I am sure the minister will not accept this amendment, not because she is convinced that this is the wrong amendment but because it is against the political reasons that motivated Bill 127.

I think the minister is wrong. She was proved wrong yesterday in the elections in North York and the city of Toronto, where her bill has been rejected overwhelmingly, and she will be proved wrong again.

I should caution the minister that the present trend will not go on forever. Everything comes to an end—even the Tory regime.

Hon. Miss Stephenson: Wishful thinking, Odoardo.

Hon. Mr. Davis: You should live so long.

Mr. Di Santo: Mr. Chairman, you remember what the Premier did on the occasion of the by-election in York South. He thought he would get rid of Nunziata and preserve the seat for Gayle Christie. But the irony is that the voters got rid of Gayle Christie yesterday. Everything comes to an end.

8:50 p.m.

Mr. McClellan: And Nunziata.

Mr. Di Santo: And Nunziata.

Mr. Chairman: Order. I am sure the Premier was not being provocative. Please speak to the amendment.

Mr. Di Santo: The Premier is never provocative. But yesterday it was really rewarding in Downsview to see the results in wards two and five. My wife was a candidate against the Tory incumbent, Peter Carusi; and in many polls—and I know the Premier has a large staff and can verify this—the Tory candidate had zero votes.

Mr. Chairman: You are going to work this in to the amendment.

Mr. Di Santo: That was a referendum on Bill 127, period, because our position was quite straight.

Hon. Miss Stephenson: It was not. They are separate school board trustees, and that bill does not apply to them.

Mr. Di Santo: Perhaps the minister, who has a fixed idea about the second-class representatives on the board of education, wants to explain why it is that, if the representatives are co-opted on the Metro board, they are in any different position from any other trustee. Can she explain that? She cannot, of course. I know that.

I was saying that yesterday was a referendum on Bill 127. We went to the voters with this very straight position: You have NDP candidates; you do not have independents, both Liberals and Conservatives vote together and when they sit on the school board you really cannot determine whether they are Conservatives or Liberals, because all the Liberal candidates were in favour of Bill 127. I could quote the Liberal critic, the member for St. Catharines (Mr. Bradley). He reminded them that the Liberals should try to have a common position, not one position at Queen's Park and another position in North York.

So it was a referendum on Bill 127.

Mr. Roy: On a point of order, Mr. Chairman: I want to say that it is one thing for the member for Downsview to savagely attack the Conservatives in every shape or form, whether they are trustees or not; but to go out and distort the position of the Liberal candidates is unforgivable, Mr. Chairman, and you should correct the record.

Mr. Di Santo: I want to thank my friend the member for Ottawa East, because in fact they were Liberal candidates. Thank you very much.

In fact, there were more than that. The former Liberal candidate in Downsview who ran against me was running the campaign for one of the candidates, who came last, and that was—

Mr. Roy: Again?

Mr. Di Santo: He came last. Yes.

Mr. Chairman: I remind the honourable member that the enemy is apparently over here, and you are speaking to the amendment.

Mr. Di Santo: This is only a friendly reminder to my friend the member for Ottawa East.

Mr. Roy: On a point of order, Mr. Chairman, again to correct the record: I notice that the NDP have with some annoyance been making reference to my colleague the member for Yorkview (Mr. Spensieri), but the record should be very clear that my friend and colleague was instrumental in the election of three aldermen in the city of North York.

Mr. Breaugh: You mean to say that the Liberal Party was involved in municipal politics?

Mr. Roy: That's right, and we are not ashamed to say it. They were good candidates; he supported them and the record should show that.

Mr. Wildman: On the point of order, Mr. Chairman: Did you understand the member for Ottawa East to say the Liberal Party had introduced partisanship at the municipal level?

Mr. R. F. Johnston: Mr. Chairman, that was part of it. The other part was, is this the same member for Yorkview who made certain commitments in this House and has yet to pay up on those commitments?

Mr. Roy: The payment is on its way. The defeated NDP candidate has the payment.

Mr. Di Santo: Mr. Chairman, I think the member for Ottawa East is right. The member for Yorkview—

Mr. Chairman: Speaking to the amendment; you are not helping matters much.

Mr. Di Santo: Mr. Chairman, I am speaking on the point of order.

Mr. Chairman: Nothing about the point of order; we are talking about the amendment to section 1. Speak to the amendment to section 1, please.

Mr. Di Santo: I only want to say that the member for Yorkview was instrumental in electing two or three candidates.

Mr. Roy: Three.

Mr. Di Santo: Three; with the help of such Liberals as the mayor of the city of North York, Mel Lastman, and Barbara Greene, Bob Yuill and other Conservatives, which means the coalition works very well.

Mr. Chairman: Speaking to the amendment.

Mr. Di Santo: The point I was trying to make on the motion introduced by the member for Oakwood which reads, "I move that the Board of Education for the City of Toronto and the Board of Education for the Borough of York be struck from section 1," was that yesterday the election in North York was a referendum on Bill 127. The discussion on Bill 127 came up at every all-candidates meeting.

There was a clear position on our side. We said we opposed Bill 127 for the reasons we have expressed through our critic and the other members who have spoken in the debate in the House. All of the other candidates were in support of Bill 127, some of them because they were independent and Conservatives, some of them because they were independent and Liberals and disagreed with their critic at Queen's Park.

When the results came in they were a resounding defeat for the Minister of Education. We elected five people only in Downsview, all New Democrats. I thought after that experience the minister could have had a second thought and perhaps could have said, "Okay, this bill is not acceptable to the people of Metropolitan Toronto, let me withdraw it."

When I saw the Premier come into the chamber tonight, I thought perhaps he would have used his wisdom and said, "Okay, let's put an end to this charade and let us withdraw the bill because it is becoming a farce."

Hon. Miss Stephenson: You are making it a farce.

Mr. Breaugh: Are you announcing a cabinet shuffle?

Mr. Di Santo: The Minister of Education does not understand it is because of her position it has become a farce. All the groups that appeared before the committee spoke against it and if she had listened—

Mr. Wildman: It's hard to do a shuffle when your whole deck is broken.

Hon. Mr. Davis: How would you know?

Mr. Di Santo: Of course, there are groups inspired by the Conservative Party who came to support the position of the minister, but I am talking of the groups who reflect the interests of the real people, not the interests of the Conservative Party.

Hon. Miss Stephenson: Are you suggesting trustees don't have the interests of the people at heart?

Mr. Grande: The board of trade.

Mr. Di Santo: The board of trade.

Hon. Miss Stephenson: You were talking about trustees as well.

Mr. Di Santo: As I said before, the Minister of Education does not understand the needs of some people we represent because she represents constituents who belong to the wealthy bourgeoisie who do not have the needs of the people who take English as a second language. In her riding people do not need to take English as a second language. They take immersion courses in French or send their children to private schools because they can afford it.

We are trying to make a contribution to the minister to make her understand that there are people who are different from most of her constituents. We are telling her, "Try to understand their needs because you are the Minister of Education." If she wants to create this cumbersome organization in Metropolitan Toronto those people will not be represented any longer because there will be no direct communication between the voter and the elected people.

9 p.m.

I know the minister will not accept our position, but it is our duty to try very hard to make her understand. You never know; it may be that at some point the other members of the cabinet, if not this minister, will understand they are fighting a battle that is lost because the

people do not accept it. Perhaps the Premier can convince the minister to withdraw the bill.

Mr. Roy: Mr. Chairman, I want to join my colleague, the critic, the member for St. Catharines (Mr. Bradley), and other colleagues, at least on this side of the House, who have consistently and vehemently opposed the provisions in Bill 127.

Mr. Chairman: You are not being provocative?

Mr. Roy: No, I do not intend to be provocative at all. You know it is not my style. I just speak to the section itself and to the amendment as proposed. I intend to be as brief and as succinct as possible, especially when we are so honoured in this assembly on a—is it a Tuesday evening? Yes, it must be a Tuesday evening; I am here. We are honoured to have the presence of Old Smoothie himself, the Premier of Ontario.

Hon. Mr. Davis: What is this "old" business?

Mr. Roy: You will excuse me; I do not want to insult the Premier. But I was just reading an article in Toronto Life. The title of the article is "Bothersome Bette." It starts by saying—and I am just quoting; these are not my words—

Mr. Chairman: If they know about the amendment—

Mr. Roy: Yes, we will be talking about the amendment; I just want to reply to the Premier.

The article goes on to say, "Bette Stephenson: pugnacious, abrasive and partisan." That is what it says. I said: "Is this our Bette they are talking about?"

At the end of the article it says that in the days when things get really rough for this bill—

Mr. Chairman: The member for York Mills.

Mr. Roy: Yes, the member for York Mills.

Here is what it says: "Maybe Old Smoothie"—the Premier—"should save her from herself and order her to drop this political hot potato."

I was thinking the same thing as my colleague the member for Downsview, as the Premier walked into this assembly. I thought, "Oh, oh, here comes Old Smoothie himself." We are not used to having him here on a Tuesday evening at nine o'clock. The poker game must have broken up early this evening to bring the Premier in at this hour. So I thought it must have been something important.

Hon. Mr. Davis: Only cribbage, not poker.

Mr. Roy: In discussing this amendment to remove the boards of education of the city of Toronto and borough of York from section 1, I was thinking about what I was going to say and I thought that surely, with the Premier walking in at this late hour, he is coming in to say something to our dear friend Bette.

Mr. Chairman: The member for York Mills.

Mr. Roy: The member for York Mills.

I am prepared to sit down and yield the floor to the Premier if he wants to participate in the debate and tell us why it is that his government, through the minister, is consistently attempting to enact something that is against the public interest of the citizens of this great metropolitan area. Why is it that he is consistently opposed to local autonomy?

I have heard speeches from the Premier since 1971, when he talked about preservation of local autonomy. It is so important that he has even had the great Darcy McKeough back off sometimes from very important legislation on the basis of local autonomy.

If that is the principle of this long-standing Tory administration, what is it about this legislation—

Hon. Mr. Davis: You ought to look at the Liberal Party's literature back in the 1960's—

Mr. Roy: Our party's literature?

Hon. Mr. Davis: County school boards, regional government—

Mr. Roy: That is right. We are still fighting for local autonomy. Under our former leader, the member for Brant-Oxford-Norfolk (Mr. Nixon), we were fighting for local autonomy and under the present leader, in November 1982, we are still fighting for local autonomy. We are consistent.

On the hustings you are for local autonomy, but when it comes to action, you bring forward legislation like Bill 127. That is what you call local autonomy. Why would you want to undermine the process of local autonomy? Why do you stop listening to people?

What is it about the process that when people seem to object to your legislation—I am talking now to the member for York Mills—what is it about you that when people object to your legislation it makes you so abrasive and makes you react?

Hon. Miss Stephenson: You are talking to the principle.

Mr. Roy: The principle, it seems to me, is that we are all elected here to represent the people. When the people of an area consistently oppose, when the parents—

Hon. Miss Stephenson: There are 1.6 million in support and 600,000 opposed.

Mr. Roy: Why don't you go to the people with Bill 127 if you think it is such good legislation?

Hon. Miss Stephenson: We did. We did.

Mr. Roy: Let's have an election on it. There were school board elections just yesterday and one could hardly call the voting yesterday a referendum in support of Bill 127. You could not say that.

Mr. Chairman: And the amendment?

Mr. Roy: Yes, the amendment. I say to the minister, her candidate in the riding of York South blamed Bill 127 for the poor showing. Do you call that a referendum in favour of Bill 127? The evidence would seem to indicate, at least from the most recent results, that the people of this area are opposed to the bill. That is why we are in support of this amendment. That is why we feel the members of this assembly should respond to the needs and the wishes of people in this area. Why does this party, led by Old Smoothie—

Hon. Mr. Davis: What is that "old" business?

Mr. Roy: I am just quoting. I am not an expert on the English language.

Hon. Mr. Davis: Or in any language for that matter.

Mr. Roy: I just thought it was considered to be a compliment to be called an old smoothie in this particular context. If you want people to continue to suggest that you are, in fact, pretty smooth about the process, maybe some time along the way you are going to have to talk to the Minister of Education, this "pugnacious, abrasive and partisan" Minister of Education.

You may have to say to her: "Look, we have a little problem here with Bill 127. Maybe, Bette, you should look at the amendment proposed by our colleague opposite. Maybe we should change section 1 of this legislation. Maybe we should be listening to people in this area."

I have difficulty understanding why the Minister of Education is so aggressively trying to foist on people something that is against their wishes when in Ottawa she does exactly the opposite. They want her to change the system of education, the structuring of the boards of education in Ottawa to local autonomy. They are crying out there for change and yet the minister consistently refuses to act in that area.

Hon. Miss Stephenson: Ottawa is next on the list.

Mr. Roy: We are going to get a French-language school board, are we?

Hon. Miss Stephenson: That is not all you are going to get.

Mr. Roy: That is what the people there are asking for. I am prepared to propose another amendment, except that this legislation does not apply to Ottawa-Carleton.

Hon. Miss Stephenson: Exactly; not to any place other than Metropolitan Toronto.

Mr. Roy: One of the reasons we are proposing and supporting the amendment against the legislation—I can only read the scuttlebutt, I do not know what is happening in Toronto unless I read Toronto Life, but it says here that the local Tories—

Hon. Mr. Timbrell: In other words, you don't know what is happening in Toronto.

9:10 p.m.

Mr. Roy: Does the Minister of Agriculture and Food want to put in a word here?

Hon. Mr. Timbrell: I already did. If you would just pay attention you would know I already did.

Mr. Roy: We do not hear from him very much these days. The Minister of Health (Mr. Grossman) is getting the best of him in the leadership campaign. The minister had better start counting his delegates again.

Mr. Chairman: Speak to the amendment.

Mr. Nixon: Wait until the word gets out that he is driving around in a used Chevy.

Mr. Roy: When the Premier laid down the law in that last cabinet meeting, the Minister of Agriculture and Food backed off but the Minister of Health kept right on campaigning.

Mr. Chairman: The member promised not to be provocative.

Mr. Roy: Okay, I will not be provocative.

Hon. Mr. Davis: Has the member for Ottawa East started his campaign yet?

Mr. Roy: My campaign? The Premier should know that the reason for my overwhelming success in Ottawa East is that I am campaigning all the time. I am working for the people all the time.

If the members want proof of that they should phone Omer in Brussels. They should give their Conservative candidate a call in Brussels. Omer will tell them how he nearly lost his deposit.

Hon. Mr. Davis: He is a lot better off—

Mr. Roy: The Premier is not kidding. I wonder who lost and who won that election.

Mr. Ruston: What about Morley Rosenberg?

Mr. Roy: Yes, what about Morley? Omer makes Morley look like a piker.

I was talking about why we are bringing forward this amendment.

Mr. Chairman: Never mind the interjections.

Mr. Roy: I want to say to the minister, and maybe the Premier will convey the message, but the article states, "Provincial Tories are said to be badly split over this bill." Is that true? Are they split over this bill?

That is why we are bringing forward the amendment so they do not split. It goes on to say, "The more enlightened cabinet ministers"—

Mr. Bradley: Are there any? Name them.

Mr. Roy: Let me name them: "such as Larry Grossman and Roy McMurtry"— Roy "sub judice" McMurtry—

Mr. Bradley: Is this a proverb the member is telling us?

Mr. Roy: Yes. I am told that the local, enlightened Tories are in favour of this amendment. That is what it says here. It goes on to say: "and members Susan Fish"—

Mr. Chairman: Order. As much as I respect the honourable member we have to ask him from time to time to obey our standing orders and to refer to members by the respective ridings they represent.

Mr. Roy: Yes. The member for St. George; Susan Fish is her name anyway, Mr. Chairman. Then there is the member for High Park-Swansea (Mr. Shymko).

By the way, may I ask a question of the NDP?

Mr. Chairman: No.

Mr. Roy: What happened to Ed Ziemba?

Mr. Chairman: No.

Mr. Roy: Are they refusing to answer?

Mr. Chairman: Yes, the member has the floor.

Mr. Roy: Okay. The reason for proposing this amendment is to get these enlightened Tories to speak to the minister. The article says, "These members are apparently fed up." It does not mention the Minister of Agriculture and Food as being an enlightened minister for the area. It does not have that minister's name here at all. It says, "They are apparently fed up with being inundated with raging parents."

Hon. Mr. Davis: The pronunciation is inundated.

Mr. Roy: Sorry, I keep putting the accent on the wrong syllable. I am like Jean Chrétien. We have our problems. I will tell the Premier that he should not try to speak French. He will make Diefenbaker sound bilingual.

Speaking to the amendment, here we are with this legislation which is so offensive and so against their wishes. So I say to the Premier this evening, to Old Smoothie, that he should talk to Bette—

Mr. Chairman: The member for York Mills.

Mr. Roy: Yes, the member for York Mills. He should speak to her and see if he cannot pull one of his sleight-of-hand, old card tricks, quietly let it die and then just pretend. He has done it before with other legislation. He has backed off before on other legislation. Just recently, did he not sell a jet? He traded it. He traded a jet for water bombers. If he is not prepared to do that, he should at least listen to the amendments we are proposing and listen to the good sense of my colleagues, the critic and the members on this side of the House.

Mr. Allen: Mr. Chairman, I want to say it is a privilege to participate in a debate on a bill which raises so many important and fundamental questions in the area of education and, in more general terms, with respect to society and social organization at large.

Mr. Chairman: Wait a minute. We are talking to the amendment.

Mr. Allen: Yes, I am quite aware it is an amendment to the bill and I wanted to start with the bill before I got to the amendment. I am not going to dally with all the other provisions because we are going to come to them, of course, in the hours, days and weeks ahead as we go through amendment after amendment on this bill. But I do want to say that—

Mr. Chairman: I am sorry. I did not hear you but my understanding of your opening remarks was you wanted to discuss the bill before you discuss the amendment. We are not supposed to do that in committee of the whole House. The amendment is before the committee. We are supposed to discuss the motion presented by your own member for Oakwood.

Mr. Allen: Mr. Chairman, what I intended to say was I was referring to the bill, I was commenting that I was speaking to it, but that of course my remarks are going to direct themselves to the amendment offered by the member for Oakwood. The amendment strikes the central principle the bill offends and, therefore, I want to direct my remarks in that direction.

The members will excuse me if I do not engage in a good deal of repartee relating to the

past history of this House. I have not as yet discovered my proper foils, my proper antagonists in one part or another of the House, and I trust my remarks will go relatively uninterrupted, but if they do not, that is all right with me.

May I also say that, coming as I do from the classroom, I am not quite used to the extreme degree of reiteration and repetition taking place in the debate, but I understand entirely its usefulness. It seems to me that is a very sound pedagogical principle to follow. It seems to me it is important to state what one is saying, to reiterate it, and then finally to repeat it at least once, if not several times, in order that the message may sink home.

Hon. Mr. Davis: That's not what some of your students tell me about your lectures.

Mr. Allen: I have a number of lectures I can deliver to the Premier from time to time if he will come to the House. I would be quite happy to have him as an audience. I am sure he is a good learner and I would be happy to address any of them to him.

Hon. Mr. Davis: I'm sure.

Mr. Philip: Unlike you, my colleague understands history.

Hon. Mr. Davis: Oh, I'm not sure about that.

Mr. Allen: I am aware there is a certain Tory mythology about the history of this province. It begins on a certain date which is not exactly the most appropriate one for most of the members of this province these days.

What I would like to say is that as I listen to the debate and to people's contributions to it and try to reach for some of the large principles that lie behind the amendment the member for Oakwood introduced, I am struck that those principles reach out into laws of nature and society, and that they relate to fundamental principles of our religious traditions. I want to allude briefly to those.

It seems to me this bill does offend the whole principle of autonomy and of localism in social life. I think it is impossible to read through the bill and not recognize the extent to which it does in fact trespass on local boards in the Toronto region, that it does give a kind of primacy to the Metro board in almost all important respects, that it does open up the whole Metropolitan Toronto education system to a good deal more manipulation through the ministry than would otherwise be the case. To me, that offends in general the whole principle that education ought to relate as much as possible to the interests of parents and to the interests of local communities and groups.

9:20 p.m.

The large principle that I see behind this relates back to theories and notions that lie behind the emergence of modern communication theory. The observation of the second law of thermodynamics relates not only to nature and natural systems but to social systems as well. It is not true only in nature that closed systems tend to run down, that their energy tends to be dispersed increasingly homogeneously throughout them; it is also true of social systems. When institutions become fastened too hard upon society, upon people and their energies, those energies also begin to run down.

So it seems to me it is vital for any bill addressing education, as it is vital for any bill addressing any large subject in our society, not to offend those sources of energy, not to abridge or qualify those sources of energy that lie within our society. Yet it seems to me that this, like the second law of thermodynamics, represents precisely that, because if there is one thing that the whole origin of life represents within the structure of nature, it is a kind of countercurrent, a harnessing of local energy, the—

Mr. Chairman: Order. As much as I respect the member for Hamilton West, and I have been listening with great interest for the last five minutes, I would now like him to centre, after the generalities, on the specifics of the amendment to section 1.

Mr. Philip: Didn't you follow that?

Mr. Chairman: Yes, I did follow it, and that is why I am bringing it to his attention.

Mr. Allen: Mr. Chairman, I am glad you drew it to my attention, because I want to reiterate the fact that any bill such as this, which offends local autonomy, also offends the very basic law that underlies processes of nature and society that are important for us to recognize; and it seems to me that if this House is not interested in those general principles, then it ought not even to be addressing this subject at all.

Mr. R. F. Johnston: On a point of order, Mr. Chairman: Surely the member is speaking to the amendment. We have surely all spoken now to one of the principles involved in the amendment to remove the city of Toronto; that is the question of local autonomy, and that is what he has been discussing throughout. Surely that is the whole point of one of the major arguments.

Mr. Chairman: I am sorry. It was not that obvious to me. I am glad you pointed it out.

Mr. Allen: Mr. Chairman, I am glad to know you are listening and following closely.

The second point I would like to make is to reiterate the principle that the member for Etobicoke described for us a little earlier, which this bill also offends, and that is the Catholic principle of subsidiarity, which suggests that wherever possible—

Interjections.

Mr. Chairman: The member for Hamilton West has the floor. Would the Minister of Health (Mr. Grossman) try not to be so provocative?

Mr. Allen: The Catholic principle of subsidiarity is very similar to the principle I was just announcing, which is that the smallest unit that can cope with the task at hand ought to be the one given the job. This principle, it seems to me, is entirely cognate with the one I have just been outlining.

Interestingly enough, it is not unlike a very fundamental principle of our Protestant heritage, which also stresses that voluntarism—

Mr. Nixon: Where is this in the bill?

Mr. Chairman: Not to mention the amendment.

Mr. Allen: —voluntary organization lies at the root of organized society. If we take the structure of protestantism with its emphasis on congregationalism, we have an example of localism which is entirely relevant to this debate.

With respect to this amendment, I think it is extremely important to realize that a lot of the protest coming out of Toronto and other parts of the province rises out of these principles I have been enunciating. If I wanted to extend those principles and draw them also out of the Jewish tradition in this province, I could do that as well.

Mr. Philip: It is also incompatible with social Darwinism.

Mr. Allen: Somebody has suggested it is also incompatible with social Darwinism but I will not go into that.

Fundamental to any life in our educational system, as in our society at large, diversity is absolutely essential. That diversity is the root of the educational richness we have. It is necessary to innovation, and without that innovation, any kind of equality of education is pointless. Who needs equality of education unless we have diverse centres that are unequal in some sense but whose capacity is untrammelled so they can get on with the job of producing new ideas which can then be borrowed and used by others?

In the long run, the objective is equal access to the best that is available to us, but that equal access has to rest upon a system that is diverse and in which local autonomy, the local powers of school boards, is not harnessed. As the member for Port Arthur (Mr. Foulds) said, what we want is the richness and diversity of one school board complementing that of another and not have it subordinated or equalized in a homogeneous fashion as this bill would do.

Therefore, it seems to me it is entirely appropriate that we should have an amendment at hand which speaks directly to the role the Toronto board has played and the place it has at the moment within the larger educational structure of Toronto and Ontario. As speaker after speaker has tried to reiterate, it has been a very creative board. One example of a very interesting piece of innovation that board introduced to the province is heritage languages education. Our own school system in Hamilton eagerly grasped that opportunity and now has thousands of students enrolled in the heritage education program.

It is odd that the board which produced that very interesting piece of innovative language study and spread it abroad is now the one that is feared so much by so many neighbouring boards. They fear that perhaps its experiments will become too costly or too tumultuous for the system to absorb, or perhaps the ideas are too radical and costly for us to embrace and therefore it seems necessary to smother that kind of advance. It is alarming to me that the ministry and the minister herself have spoken of the boiling cauldron the heritage languages program would produce if it was introduced into the daily curriculum of the school system in Toronto or in the rest of the province.

Mr. Chairman: Therefore, it is necessary to bring in this amendment?

Mr. Allen: The heritage languages program is an example of the innovation that follows from autonomous action which can therefore provide a creative tension within the system that is only possible where there is the highest degree of autonomy in the educational structure. That is how I got to the heritage languages issue.

We will have an opportunity to debate in more detail the possibility of opening up the option of including that heritage languages system within the daily program of our school

system. I hope my own board in Hamilton would want to take advantage of that.

9:30 p.m.

I want to say that if the minister proposes extending to regions like Hamilton the kind of structure that is apparently to be foisted upon Metropolitan Toronto's educational system, I am afraid we will find that the same explosive situation will occur in my own region that we find here.

I have received letter after letter and petition after petition with the names of hundreds of teachers. They, as well as the association of principals in Hamilton, all speak out against this legislation in the following terms. "This proposed legislation cripples the ability of local boards to respond to local needs and will mean the loss of key programs in some areas. It also reduces the accountability of local trustees to the taxpayers and employees. 'Blame Metro, not us' will be the motto"—

The Deputy Chairman: What you have said so far does not fully tie in to the motion on the floor, which is that the Board of Education for the City of Toronto and the Board of Education for the Borough of York be struck from section 1. That is what we are speaking to. Please tie that letter, or whatever it is, to the particular amendment that we are debating.

Mr. Allen: Mr. Chairman, if you raise the question, you prolong my remarks.

The Deputy Chairman: If your remarks are to the motion, you can speak forever.

Mr. Allen: If I must explain them, let me simply say I was arguing that if the principle of this bill were applied to my own Hamilton region there would, in fact, be the same kind of outburst from parents, teachers and principals.

The Deputy Chairman: I find it difficult to tie your remarks to the amendment.

Mr. Allen: What I am going on to say is that the fight over the issue of autonomy will be the one that will be addressed. Therefore this amendment, which speaks to the autonomy of the Toronto school board within the context of Metro Toronto, is precisely the issue that is at stake, and is the same as the one that will be contested in Hamilton if it should arise there.

The Deputy Chairman: The chair ties it specifically to the city of Toronto and the borough of York. What you are talking to is the city of Hamilton and I do not see how it ties into that.

Mr. Allen: Mr. Chairman, I find it difficult to understand your comments when that in fact is what I have been doing, as I just tried to explain. If someone else would like to undertake that task I will yield the floor.

Mr. Martel: Mr. Chairman, on a point of order: I find it passing strange that you and I just walked in two minutes ago while my colleague was talking—I was listening on the box downstairs—and without even knowing how he has tied that in, you occupy the chair and—

The Deputy Chairman: I challenged the honourable member because I was listening downstairs.

Mr. Martel: I listened to him downstairs too, and I immediately hear you say that he is not tying in the specific details. I am not sure how you can pick that up in full flight and come to that conclusion.

The Deputy Chairman: I tell the honourable member that I had the box on in my office downstairs. All I want to do is remind all honourable members that there is an amendment on the floor. Please tie remarks and debate to that amendment. That is all I ask. I now return the floor to the member for Hamilton West.

Mr. Allen: Mr. Chairman, I was reading a letter that I received from a teacher in Hamilton who puts quite succinctly his objections to the bill in question. It takes the same form as the objection of the member for Oakwood in his amendment. It concerns the fight over the issue of autonomy. That was what I was reading at that point.

In so far as autonomy is abridged in this bill, it reduces the accountability—as the member said and as I was reading—of local trustees to their taxpayers and employees. In the Toronto context, he says, " 'Blame Metro, not us' will become the motto of the system."

"It will also put local boards into a straitjacket that will seriously diminish their ability to negotiate any items that have not been agreed to at the Metro level. In order to negotiate such items, they will require unanimous approval from each of the other boards and from the Metro board."

To him, to the other teachers and to the association of principals who have written to me, it offends their understanding of the the way in which an educational system best operates; namely, deriving as much of its impetus and creativity from below as is possible.

Likewise, those who have been writing to

newspapers on exactly that same question write such words as the following: "The suggestion that the six local boards would have complete freedom in negotiations once the Metro committee had negotiated a mere three items overlooks the fact that those three items are salaries, financial benefits and staffing formulas. Once those three areas are carved in stone in a Metro master agreement, there is little incentive or leeway for local boards to negotiate whatever remains."

The bill is an extremely problematic one for us. We have to react to it with something of the urgency that any attack upon a fundamental principle in our educational system warrants. It is for that reason that I rise to support my colleague from Oakwood in his amendment. I hope the amendment will be supported by this House and ultimately the bill defeated or withdrawn.

Mr. Nixon: Mr. Chairman, I am sure you are aware that the passage of the amendment negates the whole bill. It is designed exclusively to allow the minister to have her way with the Toronto Board of Education and I am very glad to support the amendment because I feel the bill, in that concept, is one which is insupportable.

I have watched the development of education policy in the Toronto board for a long time. The quality of its leadership in this connection has been variable. It is interesting that at this time when it appears that reform elements in education, many of them supported by the New Democratic Party, have taken a substantial role in the work of the board, it is only now that the Minister of Education finds it is absolutely insupportable as far as she is concerned that they be allowed to continue in their somewhat independent way.

I have been a bit concerned that NDP politics has been so involved and I have been concerned because it has been so successful in moving into the control of the Toronto board. The Liberal Party tried an involvement in municipal politics, including school boards, back in the late 1960s. We had the great, lamented Stephen Clarkson to point with pride to. You remember as a candidate for mayor he was supported by the three Toronto dailies and came in fourth out of three, or something like that; a great fellow. He never thought too much of me so I do not feel too sensitive about pointing out some of his lack of success.

As I say, having watched this over a number of years, I had a certain degree of sympathy with the minister when she found that here was an entity in education that was providing more leadership in development of quality of education and the involvement of the community than she had been able to achieve. It concerns me very much but that is a fact.

Until we have a chance to hear more formally from the honourable minister it is my view that most boards, under the leadership of this minister, have not been induced to provide the sort of leadership to develop quality in education that most of us would have hoped. More than anything else, I feel that under her leadership and that of her two predecessors—two of them were sitting here just a few minutes ago—the boards have become almost pawns in the hands of their administrative employees. Parents have sensed this in many communities across the province and in many respects have almost given up having any parental or community input into the development of education initiative.

Such is not the case in the city of Toronto, whether we can lay it to the credit of school board members because they are NDP, or simply because as citizens themselves they have been able to bring an interest to bear which has counteracted the smothering bureaucracy that has emanated from the minister's office and that of her predecessors.

Maybe she does not believe it, but I believe it. It is a shame we have to smother the initiatives that have come from the Toronto board by the passage of this bill. The passage of the amendment will extract Toronto from this smothering influence and kill the bill. It is on that basis that I support it.

9:40 p.m.

It is not my intention, Mr. Chairman, under your rigid control here tonight, to branch out into any great historical discussion, but the minister herself, looking back to the time when her kids were at school, at a time when perhaps we were not saddled with the sorts of boards of education which had the elaborate muffling of layers of administration—

Hon. Miss Stephenson: I am not that old.

Mr. Nixon: Oh yes, she is. She was talking about being a Depression baby, for God's sake. As a matter of fact, last week we got the clear impression that she brought on the Depression single-handed.

Hon. Miss Stephenson: My last child left school last year.

Mr. Nixon: I, for one, am prepared to take her at her word in that connection.

She can surely remember when her own kids

were in school and got a good education. They have gone on to be successful. They have gone on to enjoy positions of responsibility, even in the government. All of which is a good thing, a good thing indeed.

The Deputy Chairman: But it is deviating from the motion.

Mr. Nixon: Not very much.

The minister knows that with the imposition of larger school boards and with the positions that have emanated from her office and those of her last three predecessors, particularly going back to Mr. Robarts's successor, we have found that the role of the community, the parents and the school board, has been replaced by the role of highly paid, influential administrators, all of whom bow and respond to edicts from the centre rather than to the—

Hon. Miss Stephenson: Ho, ho!

Mr. Nixon: Well, Duncan Green is an exception, and she had pretty well subverted him until recently.

I have been concerned with this ever since John Robarts stole a march on the then Minister of Education and announced the county boards while he was out of town over one weekend. That is going back into history, Mr. Chairman, to when you were still in grade 11, I believe.

But there is no doubt in my mind that one of the worst aspects of the leadership from this minister, and she has been minister for quite a while now, has been—and I have to use the verb again—to smother the natural feelings of the parents of the communities to feel involved in the development of new policies in education that would affect the education in their own communities.

I will tell her, if she will permit me just a brief reference, that the consitutents in the riding of Brant-Oxford-Norfolk feel much too far removed from the development of education policy in our own communities. Many of them sit back with an attitude that we should certainly decry; the attitude is: "What can you do? The administrators control education. There is nothing you can do but write a nasty letter to the editor every now and then or send a copy of it to the minister and get one of her good responses."

The Toronto Board of Education has fought against that. It has fought against that over a number of years. The reason there have been so many people strongly opposing this bill and coming out in the rain in front of Queen's Park, and seeing that all of us as members of the Legislature are aware of their feelings, is that the Toronto Board of Education has not allowed that to happen.

The minister herself has got plenty of fight; there is no doubt about that. Here is one area that has resisted this smothering policy that has been a part of her leadership and the leadership of her predecessors going back to 1971 and before. We feel it in our part of Ontario, and it is undoubtedly felt in this part of Ontario. The bill itself is simply going to add another irresistible weapon to the minister in effecting this policy which we have regretted over so many years and so many elections.

I have no hesitation in supporting the amendment which will nullify the bill. When the Legislature moves to extract it from the bill, I hope the city of Toronto will go on with the sort of innovative leadership in educational matters which the NDP can take credit for but which really lies in the minds and hearts of parents and citizens who feel the community should control the future of their education and nobody else should.

Mr. McClellan: Mr. Chairman, I am pleased to participate in the debate on this first of a rather lengthy series of amendments which the New Democratic Party will be putting forward to Bill 127.

Mr. Nixon: Well, we are paid for full-time work.

Mr. McClellan: Yes, we are paid for full-time work, and opposition to Bill 127 is seen as a full-time job by some of us.

As my colleague the member for Brant-Oxford-Norfolk has rightly said, the amendment will remove the Board of Education for the City of Toronto from the ambit of the bill. The reason we are moving this amendment is very simple. It is because the Board of Education of the City of Toronto is adamantly opposed to Bill 127.

We know the Conservative Party and the cabinet are split. We know the members of the Conservative Party who represent ridings in the city of Toronto do not support Bill 127. Not one of them will speak in this House on the issue, but when they are back in their own communities they talk against Bill 127.

It is ironic we are debating this amendment to remove the Toronto Board of Education from the ambit of the bill on November 9, the day after the municipal elections. Was there a single trustee in the city of Toronto elected in support of Bill 127, a single trustee of any party, Liberal, Conservative or NDP? Of course not. Did

anybody run on a platform supporting Bill 127 in the municipal elections held yesterday?

Was there one candidate of any party, Liberal, Conservative or NDP, who went to the electors in the city of Toronto on the basis of their platform of support for Bill 127? Not one single candidate, as I understand it.

Hon. Miss Stephenson: Yes.

Mr. McClellan: Who?

Hon. Miss Stephenson: Several.

Mr. Martel: Name them.

Mr. Boudria: Did they get elected?

Interjections.

Mr. McClellan: I will be pleased to yield my place to the minister—

Hon. Miss Stephenson: No. He said, were there any candidates?

Mr. Martel: Who were they?

Hon. Miss Stephenson: I can't remember their names. I'll give you a list of their names.

Mr. R. F. Johnston: Did they total more than 100?

The Deputy Chairman: The member for Bellwoods does have the floor and is speaking to the amendment.

Mr. McClellan: It is amazing; the minister insists there were such candidates, but there were not and there are no members of the Conservative Party from the city of Toronto who will stand up in this House and say they support Bill 127. I defy a single member of the Conservative caucus representing a riding in the city of Toronto to stand up in this House, say he supports Bill 127 and argue in support of that bill.

The member for High Park-Swansea (Mr. Shymko), the member for St. Andrew-St. Patrick (Mr. Grossman), the member for St. George (Ms. Fish), the member for St. David (Mrs. Scrivener)—I invite any of them, each of them, all of them, singly, together, in chorus, in unison to stand up and speak. I do not hear anything. There seems to be silence.

Mr. Martel: Come on, Dennis.

Hon. Mr. Timbrell: That's the way your whip talks: Speak, sit down, roll over.

Hon. Miss Stephenson: Salivate.

Mr. McClellan: Play dead.

Interjections.

The Deputy Chairman: We are talking to an amendment and the member for Bellwoods is speaking to it. Do not allow these interjections to distract you from the important subject at hand.

9:50 p.m.

Mr. McClellan: Even prominent Conservative trustees—

Mr. Nixon: Who would they be?

Mr. McClellan: Like Nola Crewe, for example. Poor Nola Crewe. We should shed a tear for her. Nola Crewe was supposed to have been the next chairman of the Toronto Board of Education if things had gone well. If the so-called right-wing mood which supposedly was prevalent across our fair community had triumphed in the elections yesterday, and the numbers of Conservative trustees had been elected, the most likely candidate for chairman of the board of education would have been none other than Nola Crewe. But, alas, it was not to be.

In today's Toronto Star we have a picture of Mr. Muir tending his bloody nose. I will table this document, because I think it needs to be submitted as part of the record.

The Deputy Chairman: And to the amendment?

Mr. McClellan: Poor Miss Crewe, who, if it had not been for the hubbub about Bill 127, might well be facing the prospect of being chairman of the Toronto Board of Education. Instead, she is likely to be facing certain charges. And her colleague Mr. Muir, pictured in the Star today, suffered a bloody nose.

The Deputy Chairman: It is difficult to see how you are tying this into the amendment.

Mr. McClellan: I am trying to illustrate to you—

An hon. member: How strong feelings are.

Mr. McClellan: Yes, how strong feelings are in the Toronto Board of Education on all sides. Even Nola Crewe—

Mr. R. F. Johnston: Gentle Nola, she used to be known as.

The Deputy Chairman: I am trying to be gentle, but I am not being very successful in keeping us on the amendment as it pertains to Bill 127.

Mr. McClellan: Nola Crewe was a very prominent member of the Toronto Board of Education. She was so upset by everything that happened yesterday that she ran amok. Her colleague, who failed to win a seat for ward 8, according to the article, because of the feelings within the community about Bill 127—

The Deputy Chairman: Is that in the article?

Mr. McClellan: I am coming to that. He claims that Nola Crewe walked up to him and kicked and punched him as he watched the television at the Ben Wicks tavern on Gerrard Street East.

The Deputy Chairman: The only concern I have is that it does not seem to pertain to the bill that is on the floor.

Mr. R. F. Johnston: Mr. Chairman, on a point of order: That particular tavern is known as one of the places where this bill is debated on a nightly basis.

Mr. Breaugh: And this amendment came out of that.

The Deputy Chairman: I have not been there.

An hon. member: You cannot rule it out of order.

The Deputy Chairman: I ask the honourable member, in his diligence to cover the points to be made on this amendment, to please stick to it.

Mr. McClellan: Yes. I have some apprehension. If a supporter of the government party like Nola Crewe can run amok because of her feelings of rage and frustration, to say nothing of sheer displeasure, as a result of the elections yesterday and the terrible defeat brought about for the Conservative Party in Toronto because of the polarization that took place as a result of the Minister of Education's Bill 127, all I can say is that I hope Nola Crewe is kept away from the Minister of Education.

Mr. Bradley: I'd bet on Bette.

Mr. McClellan: I don't think we want to take any more bets with members of the Liberal caucus.

Mr. Martel: Spensieri won't pay his bills.

Hon. Mr. Grossman: Hasn't Spensieri paid his debts?

Mr. McClellan: I invite the member for St. Andrew-St. Patrick to speak on this bill, but of course he will not. None of the Toronto members will speak on the bill.

Hon. Mr. Grossman: You can never tell. Stick around, Ross.

Mr. McClellan: Despite the amendments that the minister has brought forward—

Hon. Mr. Timbrell: And fine amendments they are.

Mr. McClellan: If they are such fine amendments as the Minister of Agriculture and Food says, why do some of the Toronto members not get up and defend them? Why does not one Toronto member rise in his or her place?

Interjections.

The Deputy Chairman: Perhaps somebody else wants to contribute to the debate. There is a certain amount of repetition taking place in your speech, because that is the way you began.

Mr. McClellan: You are quite right. I will conclude.

The amendments to the local levy are a fraud; they simply postpone the freeze. The minister does not fool anybody by this kind of smokescreen. She has not assuaged any of the anger that Bill 127 has aroused within my community.

Subsection 7(3) of the bill—

Mr. Rotenberg: That's not in order right now. We're talking about section 1.

Mr. McClellan: I am talking about why the Toronto Board of Education is opposed to this bill, and the amendment would remove the Toronto Board of Education—

Mr. Rotenberg: They're opposed because they're NDPers and they don't understand it.

The Deputy Chairman: The member for Wilson Heights must realize that at this point the member for Bellwoods is speaking on the bill.

Mr. Rotenberg: But he's not on the amendment.

The Deputy Chairman: He is trying to bring it to the amendment. I know he is really making an effort, as I am.

Mr. McClellan: It is so difficult to speak tonight.

The first point is the local levy. The second point is the section of the bill that empowers the Metro board to make an agreement that would determine the method by which the number of teachers to be employed by a board is determined.

Again, that is the provision of the bill that would wipe out, for all practical purposes, the autonomy and integrity of a local board of education. If you cannot even decide the formula and the number of teachers to be employed in your school system, what is the point of even having a local board? It becomes a complete farce.

If this is imposed on the city of Toronto, for whatever reason—and I cannot fathom the reason—it will simply be a matter of time before it will be extended to other communities.

People who support this legislation are supporting the removal of the power and authority of a local board of education to determine, among other things, how many teachers will be

employed in its school system. That will mean how large or how small classroom sizes will be, what will be the mix of teachers and ultimately what will be the allocation of teachers between the different programs.

I can tell the minister, the members of the government and members of her party that we do not intend to allow this legislation to pass. We will do everything in our power to stop it. That is not a threat; that is simply telling the minister what we are about here. I would not be honouring the trust given me by my constituents if I were to accede to the passage of this bill.

I have spoken many times over the years about the kinds of problems we have in the inner city of west end Toronto, where all the vocational schools are located with the two-year and four-year programs. I have spoken about the fact that our children are streamed, not into the academic five-year programs, but into the two-year, three-year and four-year programs.

Interjection.

Mr. McClellan: Pardon?

Mr. R. F. Johnston: She doesn't like to make those interjections loud enough to hear.

The Deputy Chairman: That was not a loud enough interjection to hear. Just carry on.

Mr. McClellan: Whether or not the Minister of Education understands it, it is a fact that in the west end of Toronto our children do not get streamed into university; they get streamed into two-year, three-year and four-year programs or they drop out.

For the past 15 years, people in the city of Toronto have been trying to change that situation. It has resulted in the kind of thing the member for Brant-Oxford-Norfolk (Mr. Nixon) was talking about, the emergence of a board of education that is interested in innovation and reform to try to address the particular problems of inner-city children.

We do not intend to permit the government to try to wipe that out, to turn back the clock, to destroy that attempt in the name of restraint, in the name of political partisanship, or whatever the motivation is. I cannot speculate on it. I can simply tell the minister that we will not sit here and allow this bill to pass.

The Deputy Chairman: Does any other honourable member wish to participate in this debate?

Mr. Bradley: Larry, we're waiting for you.

Mr. Boudria: Larry, it's your turn.

Mr. Martel: I move that we hear the minister.

The Deputy Chairman: That is not a motion. Do any other honourable members wish to comment upon this? Are there no other honourable members who wish to comment? Oh, we do have one.

10 p.m.

Mr. Bradley: Mr. Chairman, I have not spoken on the amendment yet.

The Deputy Chairman: The member for St. Catharines.

An hon. member: He already spoke on this.

Mr. Bradley: No, I spoke on the section, but not on the amendment.

Mr. Nixon: He can speak as many times as he wants, can't he?

The Deputy Chairman: I do not know where that thought came from.

Mr. Nixon: Did you hear what he said?

An hon. member: It's in the rules.

The Deputy Chairman: No, there is no such rule. The member for St. Catharines has the floor.

Mr. Nixon: I feel another speech coming on myself.

Mr. Bradley: Mr. Speaker, when there was a considerable amount of discussion earlier in the day on all the people and all the organizations that might be affected by this bill, I indicated why some of the boards of education would object to being included and why some of the teachers' federations would object to that.

I am now indicating with this specific amendment why I think the Toronto Board of Education and the York Board of Education might well wish to see this particular amendment pass in the House.

First of all, I think we have had a chance in this House over the supper hour to reflect upon the results of the election last night. I think that those of us who are from outside Metropolitan Toronto would want to know whether the results meant that the people specifically—because we are speaking specifically to this amendment—the people of either York or the people of Toronto had spoken clearly one way or the other on Bill 127.

When we look at the results, we find that rather than a referendum in favour of it, they were opposed. We were led to believe that while the politicans at the local level might be opposed to it, the people thought Bill 127 was the best thing since sliced bread.

We found out when the election took place—and there was a significant turnout in this

election—that there was not a referendum in favour of Bill 127 in either Toronto or York and that there were a number of people elected, or re-elected with increased pluralities, who were adamantly opposed to this piece of legislation and to their inclusion in section 1 of the bill as defined by this amendment.

Therefore, it is cause for the government, if not for the minister or the other members of the government, to reflect upon this. We have had the Tuesday morning caucus, which I presume the Progressive Conservative Party had at the same time as the other parties. Tomorrow we have a meeting of the cabinet, a normal Wednesday meeting of the cabinet, and at that time members such as the Minister of Health and others from Metropolitan Toronto who have indicated privately, according to reliable sources, that they are opposed to this legislation or who, at best, are lukewarm about it, will have the opportunity to speak to the minister about why Toronto and York should not be included in section 1 of this bill.

I think particularly of the ministers who carry a considerable amount of weight within that cabinet, some of whom have aspirations to be the leader of the Progressive Conservative Party at some time in the future at the provincial level. Certainly they would want to reflect the viewpoint of their constituents, who are adamantly opposed to Bill 127.

If we look at York South, for instance, where the by-election took place on November 4, we find that the one candidate out of the three who supposedly was in favour of Bill 127 was soundly defeated. Someone could refresh me on the exact percentage, but I think she managed to get 17 per cent of the vote. She indicated that one of the things she felt her defeat could be attributed to was the introduction of Bill 127 and the defence of Bill 127 by the Minister of Education and others in the government. She felt that was an albatross she had to carry around her neck during the campaign.

It is unfortunate, having seen the results of that particular by-election in terms of the very low number of votes that were attained by the Conservative candidate, that members of the cabinet would not then prevail upon the Minister of Education to abandon this particular bill, not with a view to turning completely away from any kind of reform or changes at Metropolitan Toronto but with a view to beginning anew the process of consultation for those who are directly affected in order to allay some of the concerns that have been expressed about the intentions of the ministry in regard, for instance, to the surplus and deficit proposition in the bill, the negotiation process in the bill and, of course, the discretionary levy.

Looking at Toronto, one cannot find anyone on the Toronto Board of Education who is a proponent of Bill 127. If one were to say, "Well, it is just that radical gang down there who do not like the minister, and they are to be ignored, because common sense should prevail," one might think a little bit about that. But when one sees those who are not members of the so-called radical group on the Toronto Board of Education indicating their opposition before this municipal election, during the campaign and after the campaign, then it makes one think that perhaps this opposition is pretty genuine, based on genuine concerns about the consequences of the passage of this piece of legislation. Therefore, a very good case is made for the exemption of the Toronto Board of Education from this bill.

As my colleague the House leader of the Ontario Liberal Party has indicated, this really has the effect of nullifying the bill, of making the bill quite useless in respect of what it is attempting to achieve. So the passage of this amendment would have the effect of really putting the legislative skids under the particular piece of legislation we see before us.

There is a way of avoiding this, of course. That is for the minister to recognize the degree of opposition that is being expressed in this city by members of the board of education, by parent groups who are directly affected, by many members of the general public, by some editorialists, by some other writers and certainly by the various affiliates of the Ontario Teachers' Federation, who see some real problems arising in negotiations as a result of bringing together into one negotiating team all of the boards of education on a compulsory basis and of bringing the various affiliates of the federation, the panels, in one big nest to fight out this particular battle. It has worked in the past because we have had a voluntary aspect to it; it cannot work as well if there is compulsion.

Now, I want to be fair to the minister. I had the opportunity to speak initially on this section of the bill, before the placing of the amendment, so I want to leave the minister sufficient time this evening to reply. She has heard many of the arguments I made on this earlier in the day, and I would simply implore her to take into consideration all of the very valid arguments that have been advanced by the opposition today, by

members of her caucus behind closed doors and by members of the cabinet in the secrecy of the cabinet room.

I now invite her to respond to the representations made by the opposition. I hope it will be in a very favourable manner, that she will make a dramatic announcement this evening—with the galleries full—that she is going to withdraw Bill 127 and please everyone.

Mr. Chairman: Are there any other members who wish to speak to the amendment?

Mr. Nixon: On a point of order, Mr. Chairman: You are not suggesting, of course, that after the minister speaks we would not have an opportunity.

Mr. Chairman: Not at all.

Mr. Nixon: All right.

Hon. Miss Stephenson: Mr. Chairman, I was intrigued by the honourable member's last observation that the galleries were full. It is obvious that his vision is no better at distance than it is in examining the content of this bill, its implications and the motivation that directed it.

In 1953, it was the wisdom of the government of this province and of the members of the opposition at the time that there should be a restructuring in Metropolitan Toronto that would ensure a degree of equity and fairness for all of those who reside in that community.

10:10 p.m.

It had been proposed that there might be amalgamation. There was a hue and cry about that suggestion, since many of the local municipalities felt very strongly that their neighbourhood concept would be removed by amalgamation. Therefore, with the wisdom of the time, an interesting two-tiered structure of governance for both the municipality and the school boards was developed.

During the past almost 30 years this system has evolved in a very methodical and useful way in order to support the development of a city that is probably one of the most vibrant of its size in the world and a school system that is the envy of many jurisdictions in other parts of the country.

Mr. McClellan: This is right on the amendment.

Hon. Miss Stephenson: It is right on the amendment, because what I am telling the members of this House is that the city of Toronto is an integral part of Metropolitan Toronto and cannot be divorced from it in any structural arrangement that is proposed. To suggest that this could be done would be to negate the entire structure of the Metropolitan two-tiered governance at both the municipal and the school level.

Mr. Grande: John Robarts thought so.

Hon. Miss Stephenson: Therefore, it is, I think, ludicrous to suggest that a single board or two boards be removed from the ambit of this bill. The bill is designed to try to assist in the further evolution of the great good that has come from the two-tiered system of governance for schools in this area; and the great good has been particularly in the direction of the member for Oakwood's riding and those of some others in this House whose tax base has not been sufficient to improve the school system.

I have not heard any of these delightful members suggest that we eliminate the Metropolitan school board totally at this point and go back to the original arrangement of 1953. Even my predecessor, the Honourable John Robarts, did not make that suggestion without qualification and provisos. The member for Oakwood is very prone to reciting selective portions of certain reports that he suggests will support his point of view.

The Honourable John Robarts suggested very strongly that if there were a way to establish four, five or six relatively equal-sized boards as a result of boundary manipulation and if there were a way to deliver funds in an equitable fashion ensuring that there would be a reasonable distribution of those assessments accumulated within the city of Toronto, primarily by people who live outside Toronto, it might be wise to eliminate the Metro school board.

I have not heard any of the members suggest we should move in that direction, although it is, I believe, the understanding of certain aspirants to the York municipal council that they might seriously consider the possibility of amalgamating or dividing or moving borders in order to become part of Etobicoke or Toronto or North York.

That may be the direction in which one will move in the future. In the meantime it is absolutely essential that this two-tiered system of governance function effectively on behalf of all of the children of Metropolitan Toronto. That is the motivation for the introduction of the bill. This bill was not instigated within the Ministry of Education; it was developed in the minds of those who work diligently every day as trustees at the Metropolitan Toronto level to ensure that the structure of this governance system supports the children of all of Metropolitan Toronto. And I understand that motivation,

because those people are involved daily in their area of responsibility in education, which is to ensure that programs are delivered to children throughout Metropolitan Toronto.

I would remind the members, particularly some of the newer members who do not understand, that the Metro system of governance has always, well not always, but certainly since 1969, given the Metro school board the right to determine the level of levy which should be established for all of Metropolitan Toronto.

It has also provided an additional discretionary levy for each of the boards so they might use it in ways they see as necessary for their own jurisdictions. The distribution of the total assessment is made, in fact, through the joint system at the Metropolitan Toronto School Board and has been for many years. That is not going to change.

Is that a reduction of autonomy? If it is, it is not a reduction that has apparently bothered the board of education for the city of Toronto for about 25 years.

Therefore, one has to be just a little doubtful about whether the idea of ensuring that there would be joint negotition among all of the boards, with their elementary teachers and secondary teachers, would reduce the autonomy of any one of the boards in the areas in which it is suggested that negotiation should take place.

I feel very strongly that if we are to assist those worthy people who are elected to ensure that the system that has been developed by this Legislature for more than 25 years, and almost 30 years, for the governance of the school system in Metropolitan Toronto, and to try to ensure that equality of educational opportunity for the children will, in fact, take place, it is incumbent upon us also to ensure that all of the boards that make up Metropolitan Toronto be involved in the legislation. It would, therefore, be less than sensible to suggest there should be an elimination of any one of the boards from this piece of legislation.

Mr. Nixon: Would the minister just clarify her statement as to the fact that there would be no reduction in autonomy when it appears it would mean that, if the bill were to pass with the intentions the minister has previously expressed, the right of one school board to hire teachers at a certain level for service in that board would be moderated, at least, if not controlled by the Metropolitan board?

Hon. Miss Stephenson: No, Mr. Chairman. The joint negotiation that will take place related to the establishment of the allocation formula will ensure there is a reasonable distribution of teachers throughout all Metropolitan Toronto to all the boards based upon their specific needs and weighted by the priorities that each board establishes.

In addition to that, the amount that is available to the boards—and for the first time—we are stating in this legislation that discretionary levy may be used for the hiring of additional teachers.

That has not been a part of the practice. In fact, there was a gentlemen's agreement established by the boards in 1971 that they would not use the discretionary levy for that purpose. That gentlemen's agreement was fractured about two and a half years ago by one of the boards.

What happens now is that we are stating clearly that each board will have autonomy to add additional teachers to those they would acquire through the allocation formula that is negotiated with the teachers, to hire additional teachers and to use those teachers in the way they find most appropriate. So there is increased autonomy under this bill in terms of the intentions of the use of the discretionary levy; increased over what it was before.

Mr. Nixon: May I just pursue one more point?

The minister has not made it entirely clear. Suppose the Toronto Board of Education is not satisfied that the discretionary levies and the weighting feature, based on their stated requirement, is returning the teacher number and pupil-teacher ratio they have decided independently they want, they would not then have the power to say, "We independently are going to hire an additional group of teachers for this special project, or that special project," because it has not been approved by the school board.

10:20 p.m.

Hon. Miss Stephenson: No, it does not have to be approved by the school board, but they would not be able to do it beyond the extent of the yield of the discretionary levy.

Mr. R. F. Johnston: Mr. Chairman, I just want to clarify the record. The minister said she was unaware of any members on this side who might be in favour of abolishing the Metro school board. This caucus is in favour—

Hon. Miss Stephenson: I did not say that. I said I have not heard that tonight.

Mr. R. F. Johnston: Maybe not tonight. I will say it tonight. This caucus is in favour of

abolishing the Metro school board.

Mr. Chairman: Did the member for Ottawa East want to say something?

Mr. Roy: No, thank you, Mr. Chairman. I have made my contribution.

10:52 p.m.

The committee divided on Mr. Grande's motion that paragraphs 1(1)(b)(b) 5 and 6 be deleted from the bill, which was negatived on the following vote:

Ayes 32; nays 55.

Mr. Chairman: I am wondering at this time, shall section 1 carry?

An hon. member: No.

On motion by Hon. Mr. Wells, the committee of the whole House reported progress.

The House adjourned at 10:55 p.m.

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Breaugh, M. J. (Oshawa NDP)
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Official Report (Hansard)

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UNIVERSITY OF TORONTO

Second Session, Thirty-Second Parliament
Monday, November 15, 1982
Afternoon Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Monday, November 15, 1982

The House met at 2 p.m.

Prayers.

LEGISLATIVE PAGES

Mr. Speaker: Before starting routine proceedings, I draw to your attention that we have a new group of pages with us today. No doubt you will have noticed the new faces. In recognition of the presence of the new pages, I will read their names into the record.

Jeffrey Anderson, Lambton; Jeff Bangs, Parry Sound; Leanne Cook, Peterborough; Mark Del Duca, York West; John Duff, Lanark; David Ellerby, Burlington South; Vicki Grossmann-Hensel, Ottawa East; Robbie Howells, Stormont-Dundas-Glengarry; Bradley Johnson, Scarborough West; William Kendrick, Windsor; Neil Keon, Ottawa South; Ryan Keon, Ottawa South; Derek Klein, Carleton; Lisa Madlensky, Waterloo North; Sara MacGray, Humber; Catharine Munn, London Centre; Carrie Neale, Oxford; Allison Oliver, Oriole; Marcy Osborne, Prince Edward-Lennox; Lori Paravia, Yorkview; Tracy St. Denis, Algoma-Manitoulin; Lana Wilhelm, Brantford.

I ask all honourable members to join with me in welcoming the new pages.

INTRODUCTION OF MEMBER FOR YORK SOUTH

Mr. Speaker informed the House that the Clerk had received from the chief election officer, and laid upon the table, the certificate of a by-election held on November 4, 1982:

Electoral district of York South—Robert Rae; Province of Ontario.

This is to certify that in view of a writ of election dated September 27, 1982, issued by the Honourable Lieutenant Governor of the province of Ontario and addressed to Mrs. Nancy M. Head, returning officer for the electoral district of York South, for the election of a member to represent the said electoral district of York South in the Legislative Assembly of this province in the room of Donald C. MacDonald, Esquire, who, since his election as representative of the said electoral district of York South, has resigned his seat, Robert Rae, Esquire, has been returned as duly elected as appears by the return of the said writ of election, dated November 12, 1982, which is now lodged of record in my office.

(Signed) Warren R. Baillie, chief election officer, Toronto, November 12, 1982.

Mr. Foulds: Mr. Speaker, I have the honour to present to you Mr. Bob Rae, member-elect for the electoral district of York South, who has taken the oath, signed the roll and now claims the right to take his seat.

Mr. Speaker: Let the honourable member take his seat.

Robert Rae, Esquire, member-elect for the electoral district of York South, having taken the oath and subscribed the roll, took his seat.

2:10 p.m.

Mr. Peterson: Mr. Speaker, before I ask the first question, let me, on behalf of David Peterson's Ontario Liberal community party, welcome our friend the new leader of the New Democratic Party. I am sorry the Premier (Mr. Davis) could not be here today. He is out having lunch with his pollster. I understand that he has a new one on the job.

I want to say to the member for York South (Mr. Rae) that I am very sure he will enjoy his experience here and I wish him much happiness, although not too much success.

Hon. Mr. Welch: Mr. Speaker, on behalf of the government caucus, I wish to greet the new member for York South, who is coming to the House fresh from victory both in convention and constituency, and indeed to reflect upon the democratic process from the recent consultation with the good people of York South who, prior to his election, were well represented by one who now decides to work with that particular group from without the Legislature, although I note that he is in the gallery today to enjoy something of the excitement of this occasion.

Mr. Conway: A deal is a deal.

Hon. Mr. Welch: That will go down in the Conway book of one-liners which our children will have the opportunity to reflect upon.

Before concluding these remarks, may I pay tribute to the member for Port Arthur (Mr. Foulds), who as the new leader's deputy, along with others of the caucus, has carried the

responsibilities of House with great confidence and dedication. We have not always agreed, but he has been prepared to accept these responsibilities and we would not want them to go unacknowledged.

I have one observation. When the honourable member was encouraged to take his seat and he approached the dais, I noticed that he moved to his right rather than his left to go to the Speaker. I do not know whether that indicates a new trend in that group; however, we will wait with some interest to find out.

May I simply say that as the new member prepares for the question period, on our behalf I would like to thank the members of the New Democratic Party caucus for the invitation to attend the two-hour reception which is scheduled for later on. On behalf of the 800 grape growers of my consitituency and their families, we can only wish it was a three-hour reception rather than a two-hour one.

This party, which is dedicated to the great principles of freedom and enterprise in continuing to provide good and responsible governments to the people of Ontario, will do everything it can to ensure that the success to which I have made reference will be minimized in the future, if not completely eliminated.

We welcome the honourable member.

[Later]

Mr. Rae: Mr. Speaker, before I ask my first question, I wonder if you would allow me to say a couple of words of thanks, first of all to you, sir, for having extended the hospitality of this House and this building to me during a time when I was not a member of this House. I want to thank you and the officers of this House for their hospitality and kindness to me.

I want to say to the Leader of the Opposition (Mr. Peterson) and to the Deputy Premier (Mr. Welch) how very much I appreciate their kind welcome. I have always found those words are offered first of all after an election and not during it and, second, always on the very first day before the very first question and very rarely afterwards. I want to savour those kind words. I will keep them in mind. Now let us get down to business.

ORAL QUESTIONS

SALE OF RENTAL UNITS

Mr. Peterson: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations (Mr. Elgie), this being his first time in the House since the great flips of the subject apartment buildings.

I have a very simple question for the minister. How much will the rents go up in those apartment buildings, some 11,000 units, subject to the Cadillac Fairview-Greymac transaction?

Hon. Mr. Elgie: Mr. Speaker, I think we probably know the question that is more on everyone's mind, including mine, in that issue. I think the honourable member well knows that ultimately the decision on that will rest on the contents of the statement that I will be making in the House tomorrow and what the decision of the Residential Tenancy Commission will be when the matters are heard before it.

Mr. Peterson: Will the minister not agree with me that it is distinctly possible, given the vendor takeback mortgage, that rents could go up by $121 per month on that transaction alone, and that, given the new financing as a result of the third mortgage, the rents could go up by $185 per month per unit on average, for a total increase of some $306 per unit per month, excluding maintenance, taxes, energy charges and a variety of other costs?

What we could easily see here is a possibility of a doubling of rent in those subject units over the next three years. If the minister agrees that is possible, what is he going to do to prevent it from happening?

Hon. Mr. Elgie: It is interesting to start speculating. The fact is as I indicated very clearly a few moments ago and as I did last week. I will be making a statement on this matter tomorrow.

Mr. Philip: Mr. Speaker, will the minister have us believe that the statement he made on November 4, namely, that there would be only a $30 to $35 increase for an apartment that rents for $400 a month, is not true, and that there may be much larger increases? What is the minister prepared to do to stop this kind of thing?

Hon. Mr. Elgie: Mr. Speaker, let us just go back a few steps and clarify exactly what I did say on November 4. I said that on that transaction, if one speculated about the average rental being paid—

Mr. Foulds: Speculation is a particularly bad word, isn't it?

Hon. Mr. Elgie: I do not want to speculate on the honourable member.

I said that if one speculated that the average rental being paid by the average tenant was $400, on the basis of the financing of that deal the increase would work out to something in the

neighbourhood of $30 to $35 per unit if the costs were phased in over a three-year period.

In that statement of November 4, I also said I had received a clear indication from the former president of Greymac—I understand his wife now is the president—that he intended to sell those properties. I said further that the particular issue of reselling those properties, along with the impact of the whole thing on tenants, was of grave concern to me.

I indicated in a subsequent release that we would be addressing those issues, and I will be discussing them tomorrow in a statement to the House.

Mr. Epp: Mr. Speaker, the minister met on November 1 with Mr. Rosenberg and at that time should have known pretty well what was happening in the transaction. I have a simple question for the minister with respect to the meeting he had with Mr. Rosenberg: Who else was present at that meeting, how long did it last and what topics were discussed?

Also, did the minister question Mr. Rosenberg about foreign involvement in the transaction? Did he ask Mr. Rosenberg about the Greymac convictions for violations of the city building code? Finally, what was the minister's reply when Mr. Rosenberg alluded to a further resale of the buildings?

Hon. Mr. Elgie: Mr. Speaker, that is such a simple, short question, you will forgive me if I dwell on it a little longer than one might ordinarily expect. I trust you will understand that.

In short, the nature of the discussion was pretty well as it was documented in the statement I made to this House on November 4. As to who was there, my deputy and two of my assistants were present. The matters discussed were those matters reported to this House.

When I asked Mr. Rosenberg about the allegation made in this House about violations with respect to buildings previously or currently owned by Greymac, he indicated those were buildings that had been taken over on a mortgage foreclosure basis and virtually all the violations had been withdrawn subsequently. There were some three or four he was not certain about. He gave me the name of his lawyer, and my staff have been endeavouring to sort that matter out in more detail.

2:20 p.m.

Mr. Peterson: My second question is also to the Minister of Consumer and Commercial Relations. Did the minister at that meeting ask Mr. Rosenberg about the subsequent flips of those buildings? If he asked that question, was he told the truth, or was he lied to?

Hon. Mr. Elgie: I am not going to get into the role of calling someone a liar. Let me say very precisely what the gist of the conversation was.

When asked if he intended to hold the properties and manage them, his indication to me was that he would be disposing of the properties over a period of time. On further questioning, he indicated to me it was likely that the first rent increase he would be requesting before the Residential Tenancy Commission would be filed on or about December 1.

Mr. Peterson: It is obvious the minister did not ask the right questions or he was not told what was actually happening.

I am asking the minister now, will he use section 151 of the Loan and Trust Corporations Act to stop this deal now and find out every single aspect about it before he lets anything proceed any further? Will he do that as the minister?

Hon. Mr. Elgie: Let us just understand who is asking the questions. This is a party that has a resolution before this House in private members' hour to guarantee in the Charter of Rights what I am not sure needs to be guaranteed in any federal charter: that a person's right to property, disposition of the property and enjoyment of it are ensured by constitutional right.

This young man over here is suggesting that I should be able to stop transactions from taking place at the flick of a hand. That is not so. But if he thinks the obligations of this ministry with respect to the Loan and Trust Corporations Act will not be abided by, then he is sitting in the wrong chair and does not understand that we understand our obligations.

Mr. Philip: Will the minister not agree that while the Cadillac Fairview flip may be the largest we have experienced, his ministry has been aware of a number of quick flips over the past few years? Will the minister not agree that as long as landlords can pass 85 per cent of the cost of a building on to tenants through the financing, and as long as landlords can expect under the present act to break even by year three, they will continue to flip and exchange buildings and we will continue to have this problem over and over again?

Hon. Mr. Elgie: Let me just say very broadly that the issue of quick resales of property is one of paramount concern to me and will be addressed tomorrow in my statement.

Mr. Peterson: Why is the minister always the last one to know everything in this deal? Why is that always the case? Why was he not forthcoming with this House when questions were asked of him, particularly when Mr. Mastin said the minister was aware of the deal three or four days prior to its becoming public knowledge?

Why was he not forthcoming with this House with respect to the details? Why will he not now expose this to a complete and thorough public investigation? Why will he not do that right now, or at least freeze the deal until that can be done? If he is not prepared to do it, then let a committee of this House do it.

Hon. Mr. Elgie: I think I have pretty clearly outlined that the information I received from Mr. Rosenberg on November 1 was that he contemplated reselling the properties but it was not something that at that time was immediate enough to even suggest—

Mr. Peterson: And you believed that?

Hon. Mr. Elgie: Hang on. I am talking about what he said to me. He talked about putting new carpets in the buildings, he talked about further refurbishings and he talked about a date of December 1. If it is not clear to the member what he was saying at that time, and whether or not it is true, I will leave it up to his contemplation.

Mr. Rae: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations. I want to ask the minister, given the fact of these extraordinary transactions—I am referring, of course, to the subsequent flips and not to the original flop—when did he become aware of these transactions, given that they were registered on November 5 of this year?

Hon. Mr. Elgie: Mr. Speaker, let us just run through the sequence of events again.

From my conversation of November 1, I had no indication that there was going to be any quick resale. The leader of the official opposition will say I should have carried out an inquisition and found out more. I will leave it to others to make that decision. I was satisfied, on the basis of what he told me, that that is what he had said.

I recall that on the Friday there was information going around that some documents were being filed on November 5, I believe, and that this was again continuing on Monday. But the first indication I had that the buildings had been resold, to the best of my recollection, was on Tuesday morning.

Mr. Rae: Some of this does not make very much sense. If I heard the minister correctly today, in answer to the questions from the leader of the Liberal Party, he said he was told by Mr. Rosenberg that it was likely a resale would occur. In his statement to the House on November 4, the minister did not say that. The minister said, " . . . should an attractive offer to purchase be made to Greymac, it would seriously consider it."

Does the minister not think, in the light of what he has just told the Leader of the Opposition, that he should have known a resale was being actively contemplated? And does he not think that as soon as he was aware that documents were being filed that provided for a resale, he should have told us about it and not waited until he told the public?

Hon. Mr. Elgie: I welcome the new leader, because we have shared part of a riding on occasion in a very hospitable way, and I think that relationship will continue, but with the greatest of respect, let us be very clear. The day I made the statement I made it very clear that there was no doubt in my mind he would resell the properties.

What I have also said today is that he spoke of the first day that he would file for rent increases, that there would be further carpeting required for the buildings and further refurbishing.If the honourable member takes from this that an immediate contemplation of sale was in his or anybody else's mind, then he was not in the same room I was in. I say that with the greatest of respect.

Let us assume that on Friday, November 5, I had some indication that a further resale was occurring. Under what legislation does the member seriously expect that I could have jumped off my white horse and dropped down in the registry office and said, "Halt," even had I known?

The facts are pretty open. I am trying to be as open as I can about it with this House.

Mr. Peterson: Did the minister know or did he not know? Did he or did he not ask whether he would be turning those buildings over? Did he give the minister the impression he was going to turn them over? Did the minister ask the question or did he lie to the minister?

Hon. Mr. Elgie: I have reviewed that in pretty great detail. The answer should be obvious to the member as to what the details of the discussion were.

Mr. Rae: The minister has just told us, which he did not tell us very clearly in his first answer

to the question, that he knew on November 5 there was a resale.

Hon. Mr. Elgie: No, I did not.

Mr. Rae: The minister did say that. He said he had an indication that there was a resale on November 5.

Hon. Mr. Elgie: No, I did not.

Mr. Speaker: Order.

Hon. Mr. Elgie: Mr. Speaker, on a point of privilege: I said in response to questioning—and let us be very clear about this before silly things are said—that I had indication on Friday afternoon, I believe it was, that there were some transactions being completed.

Mr. Rae: The minister used the word "resale."

Hon. Mr. Elgie: No, I did not. And if I did, I tell my friend that is not the knowledge I had, because I do not come to this House to tell stories; that is not why I am here.

2:30 p.m.

Mr. Rae: As he stated, the minister and I know each other because of the fact that we were geographically close at one time. I want him to understand that I am not here in this House to cast any aspersions on his integrity. That is not what I am doing. I am trying to elicit a straight answer from the minister—and with respect, I do not think we have had that straight answer—as to when he knew what he knew. If he did not know there was a resale going on, why did he not know when it was registered on November 5?

Hon. Mr. Elgie: I think we forget the sequence of events. I believe it was on the Monday in this House when I was asked about the fact that documents were being registered and I said at that time that I assumed, to the best of my recollection, that it was the Cadillac Fairview sale to Greymac being registered. I have said that my own knowledge of when further sales occurred was on Tuesday morning.

LAKE SUPERIOR POLLUTION

Mr. Rae: Mr. Speaker, I would like to address a new question to the Minister of the Environment. I would like to ask the minister how long his ministry has been aware that a highly toxic substance—a pesticide called toxaphene—was discovered in Lake Superior in amounts up to twice the level considered safe? I would like the minister to tell us how long his ministry has been aware that toxaphene was found in fish in Lake Superior?

Hon. Mr. Norton: Mr. Speaker, I would have to check with my staff to be certain of the specific date.

Mr. Rae: Is the minister aware of the fact that toxaphene has been found in fish in amounts of nearly twice the level considered safe? Is he aware of that, or is it the first time he has ever heard of the substance toxaphene?

Hon. Mr. Norton: It is certainly not the first time that I have heard of the substance. The specific reference to which the honourable member makes mention is not something that is in my sphere of knowledge at the moment.

Mr. Elston: Mr. Speaker, can the minister inform the House as to what steps he has taken to pinpoint the location of the entry of this material into Lake Superior and what he proposes to do to control these sorts of infiltrations in the future?

Hon. Mr. Norton: Mr. Speaker, I should think the answer to that question is obvious from the answer to the previous question. I will check with my staff. I am not specifically aware of the matter the honourable member has raised but I will undertake to inform the House tomorrow in question period.

Mr. Rae: While the minister is making his inquiries of his officials, I wonder if he could perhaps come back tomorrow and give us the answers to two questions: Why has the public of Ontario not been told about this substance when levels are almost twice the safe level? Is the minister aware that some scientists feel very strongly that toxaphene is as dangerous a substance in Lake Superior as dioxin is in Lake Ontario?

Hon. Mr. Norton: I shall so undertake.

CHILD ABUSE

Mr. Boudria: Mr. Speaker, I have a question of the Minister of Community and Social Services concerning the judicial inquiry into the Kim Anne Popen case. We are all pleased that the inquiry report is finally public, although somewhat belatedly, and is available, as the minister said in his press conference, for child care workers across the province to read. I am most concerned that the recommendations carefully prepared by Judge Allen have some sort of impact as soon as possible on the child abuse problem in Ontario, and although some recommendations have been incorporated into the 1978 Child Welfare Act, as we know, others are still valid recommendations.

Can the minister guarantee to this House that,

unlike the Cyril Greenland report which we have here and unlike the Garber task force recommendations of 1978, which are just now being implemented some four years later, Judge Ward Allen's 87 recommendations will not become, to quote from his own text, "the endless presence of studies, intentions, hopes and objectives, accompanied by so much seeking, looking to, development, beginning, varying, altering, restoring and recommending which has characterized the ministry in its treatment of this most important problem in the past"?

Hon. Mr. Drea: Mr. Speaker, if the member had paid attention to me the other day he would know I referred to that on page 6 or 7 of my statement. The member was there then.

Mr. Boudria: Yes, I was.

Hon. Mr. Drea: Yes, he was. As I pointed out the other day, a number of the recommendations pertain to legislation. They have been referred to my colleague the Attorney General (Mr. McMurtry). I pointed out that many of the recommendations of Judge Allen had already been acted on in whole or in part by either the ministry or the children's aid society. The judicial inquiry presented some very good recommendations. Those areas that have not already been totally taken care of will be strengthened and brought up to date as soon as possible.

One of the things I did point out was that in the consultation process now going on for the Children's Act, the recommendations for legislative change by Judge Allen will automatically become part of that. As I understand it, His Honour Judge Allen is very pleased with my approach to his report.

Mr. Boudria: I detect from the initial part of the minister's answer that the situation is improving and some things have been implemented. If that is the case, will he tell this House who made the decision to keep a ward of the crown who was being cared for by the Sarnia-Lambton Children's Aid Society in a foster home which was considered by the local CAS to be unsuitable for the child? This is a recent incident he may be familiar with. Whose decision was it to deny this girl the much needed evaluation she could have received from CPRI in London? The loss of evaluation and care by the CAS has been called regrettable.

Will the minister explain to this House why the president of the Sarnia-Lambton Children's Aid Society resigned over the matter? Why has this ministry's role in the matter been described, according to the same person, as being blackmail? Why is it that the past president of the CAS says the decision to keep the girl in the home was made for political reasons? Those are her words, not mine. Were those made with the best intentions for the child?

Hon. Mr. Drea: I am going to have to caution the member. He had better be careful about that type of question, particularly since this case was before the courts.

Mr. Mancini: He can ask anything he likes in the House.

Hon. Mr. Drea: Oh, he can ask me anything he likes in the House even though the decisions were made as part of a court case? That is very interesting case law. Now that the member has opened it, we will answer.

Mr. Speaker: Answer the question please. Never mind the interjections.

Hon. Mr. Drea: The honourable member asked about a particular case involving the Sarnia-Lambton CAS. It will take a long answer. I am going to give it—

Mr. McClellan: Table it.

Hon. Mr. Drea: No. I will table it, but I will answer it here. If the member wants it tabled he should ask for that in the first place. There was no blackmail and I would ask the member to withdraw that remark. He has accused the ministry of a criminal offence. Second, there was no undue pressure—

Ms. Copps: Oh yes there was. He was quoting.

Hon. Mr. Drea: From whom, and who said it?

Ms. Copps: From the past president of the children's aid society.

Hon. Mr. Drea: And he did not say it in public either.

Ms. Copps: It is a she; and she did say it.

2:40 p.m.

Hon. Mr. Drea: There was no blackmail; there was no undue pressure. The simple facts of the case are that the girl was placed in a free setting, on a free-home basis, which was similar to a foster home. It was a trial placement. The CAS had an assessment from a physician at CPRI that was made before the placement in the home. They did not tell the member that, did they?

On the basis of that assessment, the CAS wanted to remove the child from the particular home she was in. The people refused to give up the child. They then went to court. As part of the court proceedings, His Honour Judge Kent ordered a hearing on August 25 to determine

the placement. He left the child with the family pending the decision. On August 25 he reserved judgement. He asked for written submissions from both sides.

In the meantime an independent assessment was ordered. The independent assessment confirmed that the child would be better off in the home and not at CPRI. There were meetings with the CAS, the family that was providing care and the lawyers, and the case was settled out of court with the child remaining in the home. If she does require additional care or assessment at CPRI, it will be provided.

There were two aspects to the case. First, the CAS argued before the courts that it did not have the jurisdiction to handle the matter; second, the CAS accepted the findings and so forth of the ministry. So, far from being blackmail, far from being undue interference, it was merely the normal settlement of a dispute where the CAS wanted to remove a child from a temporary placement and those who had the temporary placement obviously argued very successfully that this would have been the wrong decision.

Mr. R. F. Johnston: Mr. Speaker, it is with some trepidation that I rise to ask a supplementary. I would like to go back, if I might, to the original question regarding the recommendations by Judge Ward Allen.

Given that one of those recommendations is that the definition of what constitutes child abuse should be broadened from that which we now have to include psychological and social abuse, can the minister give us his response to that recommendation? Can he give us some kind of guarantee that we will find a broadened definition in the new Children's Act as it goes through the process?

Hon. Mr. Drea: Mr. Speaker, I do not really think I can give the honourable member a guarantee, because in the first place I have referred it to the Ministry of the Attorney General. However, I will give him a commitment, which I think is the same thing, and I said this the other day: I am very interested in broadening that definition to include emotional, social and other than physical or sexual abuse, and I am prepared, if the consultation process on the new Children's Act becomes prolonged, to move such a definition within the existing Child Welfare Act as quickly as possible.

I think this is a most significant area, because most of the reporting to the child abuse registry depends on definitions. Second, with the admonition to the public, particularly those who do have some knowledge of some things going on in particular families to report these facts, I think that defining abuse is only fair if they are to be expected to respond. I would like to have a practical and realistic expanded definition on the books as rapidly as possible.

CANADIAN GENERAL ELECTRIC

Mr. Martel: Mr. Speaker, I have a question of the Minister of Labour regarding Canadian General Electric and the high incidence of cancer at its coiling plant. Can the minister explain if CGE's press release of Wednesday last was correct wherein it said that the Minister of Labour was informed on December 12, 1980, about the situation in the coiling plant and that the company on a regular basis has kept all parties informed of the situation?

If the ministry knew about the situation 22 months ago, why has the government not followed up at all? Why has it allowed this alarming situation to go on without any answers to the women who are affected by the high incidence of cancer in that plant?

Hon. Mr. Ramsay: Mr. Speaker, the officials of my ministry are meeting at this very moment with representatives of the union involved and officials of the company. I hope to be able to make a complete statement on this whole matter and address the points that have been raised by the honourable member at that time.

Mr. Martel: The minister still has not answered whether they did in fact advise the ministry 22 months ago, and possibly he could do that in answering the supplementary.

In view of the seriousness of the situation, why was an epidemiological study not ordered immediately if the ministry was notified? Why did it not have someone qualified in the field get in there immediately to determine whether it was the work place processes that were causing this high incidence of cancer, whether it was the chemicals or whether it was some other substance that was causing these synergistic effects?

Why have no charges been laid against the company, which for two years has known about 24 cases—and it is now 25 or possibly 26 cases, two more having come to light in the last week—of the high incidence, which now represents over half of the women in that work force who have some type of cancer? How long is this going to be tolerated in Ontario?

Hon. Mr. Ramsay: I agree with the member that this is a very serious matter, and for that reason I do not want to make any inappropriate

or premature statements at this time. That is why I am trying to gather all the facts and consult with all the parties concerned to find out exactly; then I will reach some conclusions and report them accordingly.

Mr. Kerrio: Mr. Speaker, because of the gravity of this situation, when the minister is looking into this matter is he going to see that these companies provide some kind of bonding or some kind of insurance arrangement so that in the future these very serious cases will not be left to be handled by the people of Ontario when some plant moves to another jurisdiction? Is the minister looking into that aspect as well to guarantee that these people are going to be helped by the companies that caused the problem in the first place?

Hon. Mr. Ramsay: Mr. Speaker, I will certainly take the honourable member's comments under advisement and consideration.

HOSPITAL EMERGENCY SERVICES

Mr. Ruprecht: Mr. Speaker, I have a question of the Minister of Health. Does the minister know just what conditions exist in the emergency wards of our hospitals across Metro Toronto? For instance, last Wednesday I saw 16 people waiting for beds at the Toronto East General and Orthopaedic Hospital. Mrs. Marcis and Mrs. Turner had to wait on stretchers for over four days in the hallways of the emergency ward. Can the minister assure us that this condition does not exist in any other hospitals in Toronto?

Hon. Mr. Grossman: Mr. Speaker, of course we have some pressure points in hospitals, as was pointed out in the district health councils survey last week, which I expect to be on my desk some time this week.

We do have some problems in the case of East General. As the member may know, we have already indicated that we want to see a complete plan for an increase in the emergency ward capacity. The hospital has engaged Woods Gordon to do a role study for that facility and I am expecting that study in March. When it comes in, we will be able to go ahead with an expansion of the East General emergency, which is badly needed.

2:50 p.m.

The member might be interested in knowing that last Sunday, November 7, at midnight, we checked the situation at the East General and found that 572 patients were in the hospital; the hospital has a bed capacity of 582. There are situations such as this occurring more often than we would like at East General, hence the plans with regard to the emergency department.

East General has 68 closed beds. If all those beds were open, we would not have had even that crisis situation arising on a short-term basis at East General last week. The ministry offered some funding for the East General to open those beds on a chronic care basis which would have been sufficient to alleviate the problem. The East General initially felt the funds being offered were not sufficient. It chose not to open them immediately but to continue discussions with us regarding the amount of money.

The hospital decided to go ahead with the opening of 24 of those beds and, with that, the situation was entirely alleviated. Therefore we do not expect too many more occurrences of this kind of problem at East General.

There are still 44 beds available at the East General and discussions are going on between the hospital and our ministry to determine which, if any, of those beds ought to be opened to further alleviate the problem, and what the funding level ought to be. All in all, I think the situation at the East General is now relatively well under control.

Mr. Ruprecht: Let us look at some other hospitals too. I have been informed today that, until last week, at least two other hospitals had some wings closed and they have been just recently opened. I know of at least one other hospital that even today has at least six beds closed because of the lack of adequate funding.

Can the minister assure this House that our hospitals in Toronto are operating at full capacity and that they are not being hampered by his cutbacks in spending?

Hon. Mr. Grossman: I am not quite sure where the member has been in the last couple of weeks. He talks about cutbacks in spending. Our ministry's budget this year was increased from $5.6 billion to $6.5 billion.

Mr. Ruprecht: I have been told of cutbacks by the administrators themselves.

Hon. Mr. Grossman: I could reflect on the people the member has talked with, but I shall not. I can only say our funding has been increased by about $1 billion this year.

Mr. Bradley: He has been talking to Morley Rosenberg.

Hon. Mr. Grossman: Or perhaps Mike Bolan, His Honour Judge Bolan. One can never tell who he has been chatting with.

The funding for my ministry alone has been

increased by $900 million this year in spite of the fact that the federal government has decided to cut back the amount of money it was intending to give us, or in our view was required to give us under the arrangement struck in 1977, in part to protect health financing and cover health costs.

I should also point out that two weeks ago I announced an additional $110 million in funding, which my colleagues have been kind enough to assemble and dedicate only to hospitals and hospital operations. In my statement at that time, members will recall I indicated that, given that funding, the hospitals should have no reason whatsoever to withdraw or affect health care to the public in any way or under any circumstances. Hospitals are now operating with that new funding and cannot withdraw services to the public.

If the member suggests there are two or three hospitals that are still saying they are underfunded, we have not had that indication to the ministry. I would have to believe that their first point of contact would be with the ministry.

The member talks about six beds being closed in one place and two or three wards just being reopened. Were any of them closed as a result of renovations or additions? Was anything being done with government money that necessitated an improvement to be undertaken and that therefore required the beds be closed for a period of time? What hospitals is he talking about? If he will give me the information, we can chat about them. Indeed, my estimates will likely start next week and I would be pleased to review that situation with the member regarding any particular hospital.

Let me make it very clear to the member that funding for hospitals has been increased well above inflation for the last several years. In additon, the $110 million given two weeks ago should solve all the problems in that regard. There should be no examples where alleged underfunding of hospitals by this government is causing a withdrawal or removal of beds in this province. In fact, this government has explicitly forbidden the closure of beds where that would in any way affect patient care. If the member followed all that, it should alleviate any alleged concerns he expressed.

Mr. McClellan: Mr. Speaker, the minister is perfectly aware one of the factors causing the logjam in emergency departments in our hospitals, particularly in Metro, is the lack of available active treatment beds because of the number of long-term care patients who are wrongly placed in active treatment beds because of the shortage of long-term care beds.

I want to ask the minister whatever happened to the promise made by his predecessor the member for Don Mills (Mr. Timbrell) on December 1, 1981, when he promised 1,000 additional nursing home beds, an already inadequate number since the Hospital Council of Metropolitan Toronto had identified over 2,000 patients in Metro alone who were wrongly occupying active treatment beds?

Can he at least explain why the already inadequate promise of 1,000 additional nursing home beds has not been implemented and, as in the answer to a question tabled October 15, less than half those 1,000 beds have been set up?

Hon. Mr. Grossman: Mr. Speaker, the promise is well in place and the funding is available for those beds as soon as the process is completed.

Mr. McClellan: Show us the beds. Never mind the process. Where are the beds?

Hon. Mr. Grossman: Most of the beds are in the process either of beginning construction or are well into construction, as the member well knows. All of the 1,000 beds he referred to are in some stage of construction or have already been opened. There are 400-odd which have been opened.

The member will understand the process. If we are looking only to add some beds in an existing facility, those beds can be opened almost immediately, but in the case of large announcements such as my predecessor made last year, this often results in entirely new facilities having to be built. That requires a fairly extensive process which, unfortunately, often takes as much as a year.

Mr. McClellan: Never mind the process. You cannot put a patient in a process.

Mr. Speaker: Order.

Mr. McClellan: This is a lot of nonsense.

Hon. Mr. Grossman: The member has acknowledged that well over 400 beds are already in place. He knows very well all the other 600 beds are well under way. He knows very well we announced a further 100 beds for Metro this year. I think proposal calls will go out on December 8 for those 100 beds. The member will be aware that Etobicoke General Hospital currently has 94 beds under construction.

At Northwestern General Hospital—I turned the sod there a couple of weeks ago—there are another 120 beds. With respect to chronic care facilities, the member knows we have approved Queensway General Hospital for 120 beds,

Baycrest Centre for Geriatric Care for 154 beds, Scarborough General Hospital for 165 beds, Scarborough Centenary Hospital for 88 beds, and it goes on and on.

When we are building that many at a time, it simply takes some time to get them built. If the member is suggesting there is a quicker way to run that process, making sure there are full and open tenders with proper construction and proper surveillance by the ministry, I should like to hear it. Perhaps next week he will bring in a McClellan plan for speedy building of nursing homes. I look forward to that. Of course, I suppose the member will suggest that if only government did it it would go up more quickly. That may be his solution. I look forward to hearing it.

RESIGNATION OF MME GISELE LALONDE

Mr. Cassidy: M. le Président, je voudrais poser une question au Ministre de l'Education. Could the Minister of Education explain why the government has been so eagerly trying to persuade Mme Gisèle Lalonde to withdraw her resignation from the Conseil de l'education Franco-Ontarienne when the same government has been so reluctant to implement the recommendations of the Joint Committee on the Governance of French-Language Elementary and Secondary Schools, of which Mme Lalonde was a co-chairman?

Hon. Miss Stephenson: Mr. Speaker, Mme Lalonde has been involved in many education related activities and not simply that one committee. She has demonstrated a real commitment and leadership in the area of education. We therefore have simply requested that she reconsider her submitted resignation.

3 p.m.

Mr. Cassidy: Is the minister not aware that the reason Mme Lalonde has submitted her resignation and wants to get out is because she has come to the view that there is no sense in collaborating any more with a government that refuses to recognize the cultural identity and the fundamental rights of the Franco-Ontarians?

In view of the fact that Mme Lalonde was a Conservative candidate back in 1977, and the minister cannot keep the allegiance of her own people in the Franco-Ontarian community, is it not time that the ministry move forward and give fundamental education rights to Franco-Ontarians in this province rather than trying to fob them off with sweet words?

Hon. Miss Stephenson: Mme Lalonde's in-depth reasons for this are not available to me. I do know that the statements made very recently, or in the past few moments by the member for Ottawa Centre (Mr. Cassidy), are not Mme Lalonde's reasons at all.

I should like to have those reasons and those words directly from that estimable woman. I did not have those words from Mme Lalonde.

I would like the honourable member to look very carefully and very critically at the progress which has been made in terms of education for our francophone students in this province, not over just the past 100 years but specifically in the past decade and a half.

If the member would make that examination, he would realize that indeed a great deal more has been done for francophone students in this province than is currently being done for any anglophone student in the province of Quebec.

Mr. Boudria: Mr. Speaker, could the minister tell us what promises, if any, her government made to Mme Lalonde in order to attempt to get her to withdraw her resignation in the past, which the minister spoke about?

We do know that Mme Lalonde said a number of months ago there was no question about her resigning. She wanted everyone else to resign with her.

Further, could the minister tell us if one of those answers is the adoption by her government of some sort of governance of french-language schools by francophones?

Hon. Miss Stephenson: Mr. Speaker, the only commitment which I gave to Mme Lalonde when I spoke to her was that I would be pursuing the course of action outlined by the Premier (Mr. Davis) in a letter to M. Aubé in October, that the consultation process regarding the report would be completed by December 31, 1982, and that there would be draft legislation related to the matter of francophone education which would be widely circulated, before March 31, 1983, I believe, in order that the appropriate legislation might be put in place in time for the next municipal election.

POOLING OF ASSESSMENTS

Mr. Bradley: Mr. Speaker, I have a question of the Minister of Education on the pooling of commercial and industrial assessment.

As the minister is aware, opposition to the Martin proposal, or nonproposal as the minister prefers to call it, has been expressed by, I believe, three trustee organizations at the provincial level and by all but one of the affiliates of

the Ontario Teachers' Federation in this province. Why is it that the minister has not responded to a joint letter from the Association of Large School Boards in Ontario and the affiliates of the OTF that agree with the ALSBO position on this subject?

Would the minister assure the House that she is prepared to meet with them in consultation on this particular subject with a view to establishing a steering committee which would develop a model which would reflect the mutual objectives of these organizations?

Hon. Miss Stephenson: Mr. Speaker, what we really need is yet another steering committee.

I would remind the honourable members that in his report on declining enrolment as a result of a very carefully executed commission, the late Dr. Robert Jackson suggested strongly, as one of his recommendations, that the Ministry of Education seriously consider the pooling of industrial-commercial and institutional assessment for the purposes of support of education, elementary and secondary, across this province.

In our response to the Commission on Declining School Enrolment, Issues and Directions, the ministry committed itself to an examination of that proposal. We said very clearly that we would explore that possibility. There was a great deal of effort carried out, not only within the ministry but with some advice from the Advisory Committee on Financing Elementary and Secondary Education, which is made up of trustees and teachers and representatives of supervisory officers' associations, so that a model could be developed and shared with the school boards. That is precisely what has been done. It has been widely shared.

The implications of that model were not available to us through the computer mechanism until the last couple of weeks. That information is now being shared with the school boards, so that the impact of that suggested model can be assessed by each individual school board, including all the members of ALSBO. They have been making their recommendations on the basis of inadequate and incomplete information.

It is not a proposal. It is simply the pursuit of a commitment which we made in 1980. We are looking at it very carefully to see whether the model is appropriate, in the hope of getting some reasonable response that is not simply a flat "no" from all of those bodies that have very real concern about the delivery of educational programs in this province.

Mr. Bradley: Would the minister assure the House that when she does come forward with a firm proposal on the pooling of commercial-industrial and institutional assessment, she will submit that proposal to a committee of this House so that there can be public hearings and meaningful discussion of the final proposal before it is implemented, rather than simply having it implemented by regulation? Would she is able to do that somehow?

Hon. Miss Stephenson: The honourable member knows very well that it is impossible for this government to move in that direction by regulation.

Mr. T. P. Reid: You bought Suncor—

Hon. Miss Stephenson: That is a red herring, if I may say so.

At any rate, the Ministry of Education does nothing without full and complete consultation. We have been accused of spending so much time in consultation that it takes a great deal of time to have anything implemented. We will continue to consult.

If it seems appropriate to consider a mechanism other than simply consulting with all of the trustee groups in the province, all of the parent-teacher associations in the province, all of the teachers' federations in the province, as well as groups of ordinary citizens who make up part of our advisory committees, then I will certainly consider that.

Mr. Grande: Mr. Speaker, I did not hear whether the minister gave the assurance requested in the letter which the Association of Large School Boards in Ontario has sent to her and which was signed by every trustee group and every teachers' group in this province.

Will the minister meet with those people? Or will she consult with them in the same way as she consulted with people on Bill 127?

Does she not understand that the people saw what she had planned and that they said, "Absolutely not"? They have rejected that kind of plan. Will the minister not admit that her particular proposal is nothing but a tax grab by the province with a view to reducing educational services in this province?

Hon. Miss Stephenson: Mr. Speaker, the member for Oakwood (Mr. Grande) has one of the most fertile and vivid imaginations of any member of this House. He has flights of fancy which are unparalleled.

The consultation process regarding Bill 127 was extensive. As yet, I have not responded to the letter which was mentioned by the member

and which I would like members to know was not signed by every trustee group in Ontario, but by all of the teachers' federations except for one, I believe.

It will be a matter of discussion with both the OTF and Ontario School Trustees' Council, both of whom we meet with great regularity. And that has already been discussed, at least in a preliminary fashion, with OTF.

3:10 p.m.

SAFETY OF OFFICE EQUIPMENT

Mr. R. F. Johnston: Mr. Speaker, my question is for the Minister of Labour. It concerns video display terminals and in particular the need for radiation shielding for low-frequency radiation and the right of pregnant women to withdraw their services from machines.

Given that the Speaker has allowed the right of withdrawal to the women in the library, and we have found that there has been excessive low-frequency radiation in some of the machines there; given that the Ontario Public Service Employees Union now has an agreement with the provincial government that allows women to withdraw themselves from the machines; given that the federal task force has also recommended that women have the right to withdraw themselves from these machines if they are pregnant; and given that my Bill 18, if I might humbly say so, suggested this many months ago—

Mr. Speaker: And now for the question.

Mr. R. F. Johnston: —what is the position of the ministry? Is it Dr. Muc's position that this is so much superstition and should not be followed? When can we expect the minister to make a statement about his point of view on this matter?

Hon. Mr. Ramsay: Mr. Speaker, my ministry appointed a task force on the possible health hazards of video display terminals some time ago. That task force is made up of a group of very distinguished people, a tripartite group of academics, management, labour and so on, and I have a great deal of confidence in their deliberations and their studies.

It is my understanding that the task force is expecting to have a preliminary or interim report within the next few weeks and a final report in the early part of 1983. Therefore, I feel it would be most appropriate to wait for that information before making any statements.

Mr. R. F. Johnston: I will await that report as well. I presume that the interim report will be tabled with the Legislature.

Is the minister aware that one of the things that triggered a lot of this discussion was, of course, the cluster of birth defects in the Attorney General's office at old city hall? Is he aware, and can he confirm for us, that Dr. Harkins, who was appointed by the Ministry of Health with such urgency in that matter, has not yet begun his investigations, has not yet developed his methodology for his investigations of the women at old city hall?

Hon. Mr. Ramsay: Mr. Speaker, I am not aware of the progress that Dr. Harkins has or has not made. Perhaps that question would best be responded to by the Minister of Health (Mr. Grossman).

Mr. R. F. Johnston: I would ask that it be redirected if he is here.

Mr. Speaker: The minister is not here.

Ms. Copps: Mr. Speaker, in view of the fact that it is suggested the final report will be tabled at the beginning of next year and may potentially take much longer than that, could the minister give this House the assurance that he will at least follow the example of the Speaker of the House and offer interim regulations covering the issue of women who are forced to work on VDTs, and particularly pregnant women, bearing in mind that the final results of the report may not be ready until well into the new year?

Hon. Mr. Ramsay: Mr. Speaker, I agree completely with the fact that this is a very serious matter. There have been so many conflicting reports. For every report that is of an alarming nature there are others that state there is no problem.

I really feel that until it has been established correctly one way or the other, we should err on the side of caution. But with respect to the introduction of regulations or any changes to legislation I cannot see that in the immediate future. I do want to see and be able to study the report. Incidentally, not very many weeks ago I made an attempt to expedite the delivery of that report because of the seriousness of the problem.

Mr. R. F. Johnston: On a point of order, Mr. Speaker, concerning the redirection of my question: I was not aware, as I think you were not, that the Minister of Health is in the chamber at the moment; although he was not sitting in his seat. It is our normal custom to allow the minister time to find his seat and then be able to react to a redirection. I would ask

your indulgence in that matter so that he might respond to the question.

The question was, essentially, is it true or not true that Dr. Harkins, who was set to do the work on the Attorney General's office at old city hall regarding the women who had the abnormally high rate of cluster birth defects, has as yet not begun?

Mr. Speaker: I must point out to the honourable member that this is not a point of order as such. I looked over at the minister's chair, as did the member, and he was not in his place; therefore, he cannot answer a question.

Mr. R. F. Johnston: What do you mean?

Mr. Speaker: Just a minute. In addition to that, the time for oral questions has expired and I would suggest that you hold that question until tomorrow.

Hon. Mr. Grossman: I just want to say I will be here tomorrow.

I would like to take this opportunity to acknowledge in the gallery the presence of my good friend, the former Minister of Revenue and former member for Parry Sound.

Mr. Bradley: We could use you now, Lorne.

Mr. R. F. Johnston: Mr. Speaker, on the point of order, has it not been our practice in this House to allow a minister a chance to get to his seat when that kind of a redirection has taken place? There was a supplementary that intervened, which made it impossible for us to do so.

Mr. Speaker: It has been the informal practice in the House; however, like you, I was not aware that he was in the House. Nobody pointed it out until well after the member for Hamilton Centre (Ms. Copps) had started her question. Therefore, I must rule it out of order.

INTRODUCTION OF BILL

CITY OF ORILLIA ACT

Mr. McLean moved, seconded by Mr. Kolyn, first reading of Bill Pr46, An Act respecting the City of Orillia.

Motion agreed to.

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Rae moved, seconded by Mr. Foulds, pursuant to standing order 34(a), that the ordinary business of the House be set aside in order to debate a matter of urgent public importance: namely, the unprecedented sale of almost 11,000 apartments by Cadillac Fairview, which is likely to be followed by sales by other large development firms; the consequent flipping of these properties within days, resulting in huge speculative gains which add nothing to the value of the rental units, but which clearly threaten thousands of tenants with economic eviction as a result of the financing costs allowed under Ontario's rent review program; the complete inadequacy of a rent review program that permits rental property to be priced beyond reach in order to secure speculative gains for owners and purchasers; and the prospect of further massive disruption in the rental housing market as other firms take advantage of Ontario's lax corporate disclosure laws to trade buildings.

Mr. Speaker: I wish to advise all honourable members that notice of the motion has been received in time and I will be pleased to listen to the honourable member for up to five minutes as to why he thinks the ordinary business of the House should be set aside.

Mr. Rae: Mr. Speaker, the events which have transpired over the last few days have caught the minister by surprise. They have caught tenants in 11,000 units in a difficult, if not impossible, situation.

The situation that has arisen with regard to Cadillac Fairview and the sale and resale has placed in question this Legislature's commitment to rent review and to the control of rents. It has clearly embarrassed the goverment because so many of its friends have been involved in the sale and resale. I think we saw some of that embarrassment on the minister's face today.

3:20 p.m.

I know it has been difficult for the minister, having spent half the weekend on the phone to Miami and the other half on the phone to Mecca. I appreciate the minister's difficulty but I want to suggest to him and to you, Mr. Speaker, that while this House debated on October 28 a motion which was moved by the leader of the Liberal Party, the situation we face today is subtantially different from the one that was faced on October 28.

I also suggest to the minister that the situation that exists today is very different from the situation that existed on November 4 because, whereas the discussion on October 28 and the subject of the motion that was debated by the House at that time was the original sale of these 11,000 units from Cadillac Fairview to Greymac Credit Corp., the matter that is currently before this Legislature and currently is facing the minister and thousands of tenants is the flip and

a reflip of those same properties. For that reason, I think this is a question of urgency.

When the minister was answering questions from the leader of the Liberal Party on November 4, he stated that he thought the average increase would be about 15 per cent. He got an average rent increase of $30 to $35 per month each year. Mortgaging is now up to $375 million at least and, according to some estimates, is as high as $500 million. Interest rates are at roughly 16 per cent for most of the financing. Do not ask me why it is at 16 per cent; it should not be at 16 per cent today, especially not at the market rate today.

The minister's same logic produces an average increase of about $150 per month in each of the three years. When the security and property rights of literally thousands of tenants in this province are being threatened in this way by increases of this magnitude and of this kind and when we have so many conflicting answers over a period of time with respect to what he knew, when he knew and when he did not know it, I say that we have a matter of urgent public importance, a matter that does require the suspension of ordinary business of the House, and I so respectfully submit to you, Mr. Speaker.

Mr. Peterson: Mr. Speaker, I rise in support of the motion of the leader of the New Democratic Party. I recognize that in your deliberations you are going to have to contemplate what has transpired in the past as we have discussed this issue. We have not had the benefit of complete knowledge in this case. Unfortunately, it is unfolding in little dribs and drabs every day, as there are a number of groups and individuals contributing, from their perspective, knowledge to this complicated and difficult situation that we face.

I remind you, in support of the leader of the New Democratic Party's position, that it has changed today from the last time we debated this issue. I know you felt originally it was not a matter of urgent public importance because the House leader for the Conservative Party had certain other priorities; then we agreed the second day, as I recall the chronology of events, on mutual assent of all parties to go ahead with that debate.

But I would try to persuade you, sir, that it is indeed a crisis. It is a crisis not only for the 20,000 or 25,000 people affected or potentially affected by this sale; it is also potentially a crisis for every tenant in this city and in this province, and it bears thorough and complete scrutiny.

We are very frustrated in the opposition. We know we have been ahead of the minister, as many other people have, in knowledge of this situation. We did a considerable amount of research into this situation, working all this weekend looking at the land title documents, looking at the registry office, trying to piece together a very complicated situation.

There are a number of very serious questions that still go unanswered. I know of the minister's explanation. We have no idea how he got the information he got, but we do know that he cursorily gave this House his impression of certain transactions. We do know from discussions today and in the past that the information he was given by certain of the principal players was, to be charitable, less than adequate in the circumstances. Either we have a person who did not understand that he was going to sell his building some four or five days later because he was going to lay rugs in the meantime or we have the fastest carpet tacker in Canada buying those buildings.

We have a right to know. This deal is so large and has such an effect on the rental market that we have a right to know, and we from this side of the House have been trying to push the minister into a complete and thorough investigation.

But that is only the first step. We must understand this deal in the context of what is happening in the rental market today not only in Toronto but also in a variety of other areas. I know there are those who would say that rent controls have caused all of this or at least some part of it. That may or may not be the case; that is not the point. The point is that we do have a crisis and we are obliged to deal with it here in this Legislature. Unfortunately, the only power we have on this side of the House is to try to focus public attention on this issue and to try to develop an emergency debate. Obviously we would rather see it in committee, but the government has consistently, in this session at least, used its six and five rule, its majority, to crush any legitimate opposition inquiries into almost any subject.

I implore you in these circumstances, Mr. Speaker, as we all sit back passively and watch the soap opera As the Apartment Turns, at least to allow us to discuss it today, to force the minister at least to stand up and defend a series of virtually indefensible statements he has made. He has equivocated, he has been late, he has not been forthcoming and he has not shown very well on this deal. When you look at the list of regulatory boondoggles of this government, the

Astras, the Re-Mors and a variety of others of that ministry—

Mr. Cunningham: Argosy.

Mr. Peterson: Argosy has a big relationship to this whole thing, too, which we want sorted out. When you look at all of that, it calls into question the regulatory authority and the regulatory competence of this government in the hands of that ministry. That is one aspect we have got to look into.

The immediate, short-term emergency is the fate of those tenants. I suggest that today we have the possibility of increases in financing costs alone on an average unit of some $306 per month, consisting of $121 from the vendor takeback mortgage and $185 from the third wraparound mortgage. That all adds up to a potential doubling of rents in three years if we do not address it.

I remind you, Mr. Speaker, this money does not build new apartment buildings; it does not go anywhere except into the pockets of certain speculators. It is of no social value right now. Given this emergency, I implore you, sir, to use the fine judgement you have always demonstrated in that chair to approve this emergency debate.

3:30 p.m.

Hon. Mr. Wells: Mr. Speaker, as indicated by the mover of the motion and the Leader of the Opposition (Mr. Peterson), this matter has already been discussed once under the rule concerning emergency debate. The motion was turned down at one point, and then was allowed by unanimous consent. The motion was not worded the same as this motion, but the debate centred around the same type of discussion that would occur during any debate of this one.

I think this House is wrong in its criticism of the Minister of Consumer and Commercial Relations (Mr. Elgie) in this "very complicated and difficult matter," to use the words of the Leader of the Opposition. The minister and his staff have followed it very carefully and have reported from time to time to this House. I believe he has kept the House well informed on this matter. He has given full answers when questions have been asked.

My friend the leader of the third party, the member for York South (Mr. Rae), whom I welcome very warmly—I know he is here to co-operate and make this House operate in the manner in which it should—asked only one of his two questions on this matter today. That is certainly his prerogative, but the minister has always been very frank in answering questions.

Mr. R. F. Johnston: That was the third question asked on it.

Mr. Martel: We cannot get any answers.

Hon. Mr. Wells: The point I am getting at is that while we have debated this subject, I would not say we would not be prepared to engage in a debate on this subject at some future time, but well before this motion was filed at 11:08 this morning, it had been determined that after a full discussion of cabinet tomorrow, my friend the Minister of Consumer and Commercial Relations will be making a full statement to this House. I think it behooves the House to wait for that statement to debate this motion fully.

Also, I understand that by agreement, at the start of the minister's estimates, which begin on Wednesday, five hours will be taken to discuss many of the matters concerned in this motion. Therefore, I submit that given the fact we have broadly debated this issue already, we should not debate this issue this afternoon.

Mr. Peterson: Mr. Speaker, on a point of personal privilege: I unwittingly misled the House. I want to apologize and go back to the chronology of events.

As I recall, in the original motion for emergency debate that we put forward, you did accept the motion, sir, and then the Progressive Conservatives voted not to hold the debate. I want to make that clear for the record. The next day—a Thursday, I recall—you took the position that the matter had been thoroughly debated and would not support that debate. That being said, on the unanimous consent of all parties in the House, we did proceed. I just wanted to correct the record.

Mr. Speaker: Thank you.

I want to advise all honourable members that I have compared the motion of the member for York South carefully with the motion of the member for London Centre, the one that was debated on Thursday, October 28, and I have listened very carefully and attentively to the submissions of all three parties.

I have come to the conclusion that while the basis of the two motions is similar, namely, the sale by Cadillac Fairview, the present motion deals specifically with an event that is alleged to have taken place since the former motion was debated; that is, the alleged subsequent sales since the sale to Greymac Credit Corp.

To be quite honest with you, I do have some reservations about this motion. However, I have

to find in favour of the motion and allow it to go before the House for a decision.

The House divided on the question, "Shall the debate proceed?" which was negatived on the following vote:

Ayes

Allen, Boudria, Bradley, Breaugh, Breithaupt, Bryden, Cassidy, Charlton, Conway, Cooke, Copps, Cunningham, Di Santo, Eakins, Edighoffer, Elston, Epp, Foulds, Grande, Johnston, R. F., Laughren, Lupusella;

Mackenzie, Mancini, Martel, McClellan, McGuigan, Miller, G. I., Newman, O'Neil, Peterson, Philip, Rae, Reid, T. P., Renwick, Ruprecht, Samis, Stokes, Swart, Van Horne, Worton, Wrye.

Nays

Andrewes, Baetz, Barlow, Bennett, Birch, Brandt, Cousens, Cureatz, Davis, Dean, Drea, Eaton, Elgie, Eves, Fish, Gillies, Gregory, Grossman, Harris, Havrot, Henderson, Hennessy, Hodgson, Johnson, J. M., Jones, Kells, Kennedy, Kolyn, Lane, Leluk, McCaffrey, McCague, McLean, McMurtry, Miller, F. S.;

Norton, Piché, Pollock, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Snow, Stephenson, B. M., Sterling, Stevenson, K. R., Taylor, G. W., Taylor, J. A., Treleaven, Villeneuve, Watson, Welch, Wells, Williams, Yakabuski.

Ayes 42; nays 57.

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, MINISTRY OF INTERGOVERNMENTAL AFFAIRS (continued)

On vote 601, ministry administration program:

Mr. Chairman: Continuing with the estimates of the Ministry of Intergovernmental Affairs, it is my understanding that the member for Ottawa East (Mr. Roy) possibly had finished his remarks.

Mr. Boudria: Yes. He had finished.

Mr. Chairman: He had? Then I will now recognize the member for Oshawa.

Mr. Breaugh: Mr. Chairman, I want to say a few words at the outset of these estimates to cover what is often a rather mysterious portfolio. Most of the ministries have a clear role to play and all members understand what it is, but this one is a little different because it appears from time to time that Ontario has its own external affairs department. Although the ministry is not high-profile most of the time, on occasion the very gallant form of the minister emerges somewhere when Ontario is engaging in dialogue with other provinces.

4 p.m.

As we go through the estimates we find that Ontario is indeed spreading its wings around the world. More and more it is establishing offices of agents general around the world market. That role is not too clear except we do know there generally are very high-profile people in expensive office accommodation, doing what we are none too sure but they are there and we at least know who they are.

Some of the opening remarks in the minister's speech caught my eye as being things which would be worthy of some reaction because there has been a good deal of discussion lately about matters concerning our relationships with the other provinces and the federal government. In his opening remarks, he established a number of areas where he was interested in developing this theme of our relationship with the remainder of this country and with other nations as well.

One of the things he mentioned was the provision of French-language services. This seems a rather strange ministry for this matter to rest. In fact, as we go through the minister's speech and the various responsibilities which the minister has, we find time nd time again rather unusual things entering into the picture. There does not appear to be a collective rationale for all the things the ministry does but it does appear that, every once in a while, almost special purpose matters are dealt with through this ministry. It is almost as if we have a minister in charge of hot potatoes, or if we cannot fit something into other ministries we give it to Intergovernmental Affairs.

The provision of French-language services is one of those. Of course, in other ministries we see a kind of on-the-ground provision of French-language services. It must be rather difficult for the minister to adopt a position this House has debated on a number of occasions now, that is, to establish finally, once and for all, in a formal and legal way that this province has two official languages.

This House has said that. A number of other provinces have adopted variations of that theme. I guess the latest and most notable one is New Brunswick. Different provinces have attempted to address themselves to the matter of two official languages in a formal and legal sense to give that some status. In Ontario, we continue

with a technique which provides for some gains in terms of the provision of services but always remains back from the initial desire that was expressed by this House some time ago, that there ought to be two official languages.

Mr. Samis: There is a Tory government in New Brunswick too.

Mr. Breaugh: Yes. It is a rather remarkable thing that even in New Brunswick, with a Tory government quite similar to the government here in Ontario, they took that step. It remains a bit of a mystery as to why a government of Ontario, which has heard a great deal of debate on this matter and which in effect has attempted to provide those services, remains so reluctant to provide that formal acknowledgement of two official languges.

It seems to me that is something which is inevitable. Other provinces have had the courage and the foresight to do it and in many ways it has something to do with the fabric of this nation. There are two official languages at one level and yet at the provincial level there is a patchwork quilt of that stuff.

There is one other little thing I thought was remarkable in what the minister had to say, since much of what he says in here is to indicate how low-profile his ministry really is. One remarkable little statement I found was that the minister saw fit to point out in his speech that these estimates now under consideration total only $7.1 million. Perhaps that says something about the affairs of government in Canada and about the priorities of this government that it can use the words, "only $7.1 million," and feel comfortable with that, feel it is not a substantial expenditure. I find it quite remarkable.

It goes back to the old line, "What's a million?" Except in this instance the minister is saying: "What's $7.1 million? It is peanuts." Then he went on at some length to try to develop that it really was peanuts. It strikes me that any way one cuts it, an expenditure in excess of $7 million is not peanuts; it is substantial. When one looks through the various types of office accommodations and the types of programs which the ministry runs, all the way from something that is mentioned here in the back as protocol services, and we see the kind of receptions that are run, we begin to get an understanding that this indeed is not peanuts.

This ministry may not have a great many activities under its belt, but when it decides to throw a party, when it decides to set up a new office for an agent general in Paris, it sure does know how to spend the money.

Mr. Boudria: Has that office been filled?

Mr. Breaugh: Yes, unfortunately that office has been filled.

There are a couple of other things I wanted to speak to as we went through. The minister has from time to time given the House an opportunity to debate relations between Ontario and the remainder of Canada. In fact, the constitutional debate we had was one of those rare times when all members on all sides enjoyed the opportunity to participate in putting together their thoughts about what Canada is all about, what the constitutional debate should have been. One thing that I find happens infrequently here is an opportunity for the Legislature of Ontario, for members on all sides, to debate something of that nature.

This afternoon we again had an attempt at an emergency debate. It seems to me that it would do this government some good to provide opportunities for the members of the Legislature here in Ontario to address themselves not just to bills and not just to sets of estimates, as we are doing this afternoon, but to larger questions. It seems to me that this would be a good way for the government to get some sounding of where individual members and the political parties in Ontario put their priorities, and I would welcome other opportunities to do that kind of thing.

In many ways the minister in his opening statement went through the highlights, the major activities of the last little while in Canadian politics, and I guess the constitutional debate and all the ramifications there are matters that we have been preoccupied with, but he touched on a couple of other areas that I want to note.

One is the rather convoluted way in which tax moneys are gathered and disbursed in Canada and how complicated this formula is. It is true that if you go out into the street and find what is laughingly known as a government building somewhere in Ontario, almost all the time you will see in that building at least three levels and sometimes four levels of government participating in the funding for that building, and in most of the programs that are run as well. Very few of them are operated and initiated by one level of government. It seems it is a requirement now that all levels of government that can be found participate in those structures.

The minister in his opening remarks spent some time talking about how the federal government has unilaterally removed the revenue

guarantee from the established programs financing entitlements. I do not mean to be too critical, but I want to point out that the provincial government moved unilaterally to remove rather substantial amounts of money from the municipalities in the last budget with sales tax and licensing, and it is now moving unilaterally—so we are told by the Minister of Municipal Affairs and Housing (Mr. Bennett) and others—to put the grab on grants from the province of Ontario to the municipalities.

I really find some difficulty in understanding how you can call the federal government names for moving unilaterally in putting a lock on or making changes to the established programs financing and turn around the next day and do the same thing to that level of government for which you are responsible, that is, the municipalities. It seems to me that at many different levels, from many different ministers now, I have heard that this is a no-no, that the federal government should not be doing that; that if the federal government has financial obligations it should keep them, and that if it wants to change those financial arrangements it should do so only after consultation with the provinces.

If that is really the way the government feels and if it feels very strongly as a point of principle that you should not be changing your financial arrangements with partners who provide programs or services, this approach should be consistent and the provincial government ought to be just as consistent in going to municipalities and consulting with them.

The ramifications of what has happened in Ontario are rather dramatic. For example, look at the minister's opening statement where he talks about variations at the federal level and try to trace that through. He says in his statement, "Ontario will lose $1.9 billion over a five-year period in funds for health and post-secondary education." We should also point out that there are a number of other areas where there is federal funding involved, and by the time this whole process settles down we are going to see that impact.

4:10 p.m.

I want to point out that the exact same argument can and is being made at the level that is closest to the people, the municipal level. In most municipalities with which I am in contact now, their first-run review of next year's budget shows an impact of between 15 and 20 per cent. For many of the school boards it may even be higher than that.

They are looking at options which are extremely limited, because they are looking at programs which, in many cases, are mandatory. The municipalities must provide them. This cost pass-through, cost-sharing from the federal government to the provincial government to the municipal government, leaves the municipal government at the bottom of a very awkward totem pole.

They are not even invited to the conference, let alone told what is going on. They are not sure right now whether Ontario is represented by the Minister of Municipal Affairs and Housing, who goes to their annual meeting at the Royal York Hotel and says to the Association of Municipalities of Ontario, "For next year, do not expect any percentage increase in grants, maybe." We are at the beginning of the municipal budget-setting process. What a way to treat those partners, those people who may properly fall within the Ministry of Intergovernmental Affairs because they are another level of government.

If we go through the estimates, we do not find municipalities mentioned too much even though the ministry is called Intergovernmental Affairs. What a way to treat those folks. At the beginning of their budget-setting process they have no concrete knowledge of what percentage increase will be passed through next year, whether any will be passed through or not.

If we go back to the minister's opening statement, we see he has earmarked the initial problem. The problem is that on its own the federal government is changing some of its financial commitments, both short-term and long-term, in certain specific kinds of services. If we trace that through as it goes through Ontario, they seem to be grabbing a bit more here and there as well. In their budget last June, and there was not much consultation on that, they simply repeated the same sin of the federal government. If it is a sin at the federal level, in my view at least it ought to be considered a sin as well at the provincial level for them to do the exact same thing.

One of the things the minister might do in all of the great wonderful things that are proposed in this year's agenda is to take a look at the municipalities. If he wants to be a Minister of Intergovernmental Affairs, he might look at that level of government and provide some decent treatment for them.

One of the things he also mentioned was the relationship between Ontario and Quebec. I think many members spoke to this matter in our debate on the Constitution. We have not really had much opportunity since to do so in the

Legislature itself and I wanted to say a few words there.

I think there are ongoing problems with Quebec. There certainly are ongoing problems with, for example, states in the northern part of the United States now, where we have trucking agreements back and forth between Ontario and Michigan or New York state. There are difficulties there and it is often tough for a member to find an occasion when he can address that kind of problem at any length.

It would be worthwhile, more than once a year during the course of the estimates, to open it up for that kind of debate rather than to leave it to question period when the time is really a serious factor. Many of us are aware of that kind of long-term problem; whether it is under the General Agreement on Tariffs and Trade or whether it is an interstate-international trucking agreement, those all have ramifications for us back home.

In my community, where the transportation industry is a major part of our local economy, truckers are having difficulty with that. It is difficult to find a forum where we can address that kind of problem. Without going into that specific one at any great length, I want to simply make the point that it would be useful to have the members of the House participate in debates of this kind.

A little more specifically, dealing with Ontario and Quebec it is difficult to judge whether those relationships have improved, changed or altered at all in the last year or so. Certainly, the role that was played by Ontario in the formation of a new Constitution for Canada, while it may have produced effects which in this province some see as being positive in nature, we will have to admit that in relation to Ontario and Quebec it did not do much to cement a relationship there. It did not do much to foster any kind of good feelings between the two provincial governments and there remain some outstanding differences between the two provinces.

The minister mentioned an example which shows that this mix of responsibilities does not apply only in economic matters, although it certainly is there. The minister pointed out that the new Constitution calls for a first ministers' conference on aboriginal and treaty rights to be held before April 17, 1983. I simply want to put on the record the concern I have for the first citizens of Canada, the native peoples, who for a long time have run into great difficulty in several areas.

I guess the most notable one would be in the matter of treaties. The native people feel that treaties which were signed a long time ago should be honoured. Various levels of government, particularly the federal government, seem to have great difficulty coming to that conclusion. They even have great difficulty in coming to a resolution in negotiating current agreements. I urge that Ontario take the side of our native people and go to bat for them. They often have a difficult time putting forward a solid case.

Among the native people whom I have had a chance to chat with, it is a matter of great concern that their people have never had original treaties honoured. They continue to have economic difficulties and a range of problems for which no level of government seems prepared to take the responsibility. I urge that the province participate in the resolution of those problems, because like all citizens of this country the native people have a right to fair treatment and a negotiated settlement which they think is fair.

The problem is having to deal with a monster like the federal government of Canada. It is very difficult for any group to do. For any group, trying to convince the federal government to negotiate fairly and to honour previous commitments is often an extremely difficult task. It puts people who do not have the financial resources, the legal staff and, certainly, the political clout of the federal government, in adifficult position in matters of neotiation. I urge Ontario to participate on behalf of the native people in Ontario and across the country to see that treaties are honoured and negotiations brought to a conclusion which is fair and reasonable to all.

I want to conclude my remarks by referring to another area referred to in the minister's opening statement for these estimates. The minister established that a number of difficult issues have emerged in our relations with the United States in the last few years. I want to put the matter into a context of not only the United States, for example in the auto industry, but with offshore imports in general, because we have clearly determined the kind of impact other countries can have on Ontario's economy.

From many debates and questions in this House, we see that Ontario cannot be content to be just an observer of the actions of other nations. It has to be an active participant. What the auto makers do in Japan and the United States has an impact on jobs here in Ontario. The province can no longer afford simply to say,

"That is the responsibility of another level of government."

In my time in this House I have seen the government of Ontario turn around quite substantially on matters like the auto pact. I recall that in my first days here when we would ask questions about the ramifications of the auto pact between Canada and the United States, the usual reply was: "That is not our responsibility. That is the responsibility of the federal government." At least now we have the province paying some attention to the dramatic impact of that kind of question.

In a sense, I am making the argument that the Ministry of Intergovernmental Affairs has a large job to do and should get at it. There are problems now between Canada and the United States which centre on the auto industry. They are obvious to those who who are interested observers of the industry itself.

4:20 p.m.

There is strong anti-Canadian feeling present in the American Congress. Perhaps that is just a normal gut response of American congressmen to their constituents who are having the same things happen to them as are happening to mine, that is, substantial numbers of layoffs and plant closures and a local economy which is getting flatter every day.

Part of what is happening in Washington these days is an initial response that says, "We had better take out all of this hostility on somebody else." I am sad to say some of that is being directed at Canada. The auto industry is one example. When one talks about the Canadian auto industry one is really talking about the Ontario auto industry, because this is where the heart and soul of the auto industry in Canada resides.

Whether the minister chooses to get into that field or not, he has to recognize that the General Agreement on Tariffs and Trade has an effect on textile plants in Ontario and on most of the goods we produce in this province and try to sell as exports to other countries. The Japanese auto industry moving into Canada has an effect.

It is not good enough to say, "We sent a telex to Ed Lumley and he is doing something about it." In my experience, the federal government seems extremely slow to respond to the needs of Ontario. That being the case, I think the government has no option other than to move to some position which allows it to be more active and allows it to represent Ontario in a more concrete way than gathering facts, as we have traditionally done as observers, and putting forward almost a mendicant position to the federal government as to what we think needs to be done. I am making an argument that this minister and this government need to be more active in that regard.

I do not want it to be seen that we are always attempting to put forward such positions in a protectionist way, because I think that response is not really one which has any long-run prospects of a positive nature for Ontario. For example, trends in the auto industry have now clearly established that there is a need, not just for what we traditionally called research and development, but to develop new product lines and new techniques in terms of management and production, new equipment inside the plants and a new sensitivity to a changing market which the auto makers themselves have had great difficulty with.

When we see nations like Japan or Germany move products so effectively in and out of Ontario, the biggest single market in Canada, our government here in Ontario needs to be able to respond to that. It needs to be able to track that and to be a participant in that process. That is the role, according to the minister's opening remarks, of the Minister of Intergovernmental Affairs. I want him to be more active in that regard.

There are a couple of other matters I wanted to raise. One thing which has fascinated me for some time now is, exactly what does an agent general do in all those positions we have established around the world? Aside from the fact there seems to be a clear trend that the basic qualification for an agent general is to have a strong connection with the Progressive Conservative Party, there does not appear to be much else in the way of qualifications.

For example, Mr. Ward Cornell was the agent general in London. He is a very fine man. I used to watch him on Hockey Night in Canada and I thought he did an excellent job there, but I was always at a bit of a loss to explain how one goes from Hockey Night in Canada to being agent general in London. The connection escaped me slightly. When I pursued it a bit more and asked him what exactly he did as agent general, I have to admit it was not too clear either.

Mr. Stokes: He greets you at the airport at Heathrow.

Mr. Breaugh: He is a very pleasant man. A few years ago he did meet me at the airport and was very nice. He gave us a nice tour of London. It was a Sunday and I really appreciated he would give up his Sunday morning to do that.

We had a nice chat and a pleasant lunch and we spent a little time trying to figure out what an agent general does. I am not too sure. I appreciate he would get out of bed on Sunday morning and pick up some visitors from Ontario, but is that really what an agent general does?

When one looks at agents general in other centres of the world, they seem to come from a variety of backgrounds. One of the most recent and most unusual ones in a sense, because it caused me some mixed emotions, was Adrienne Clarkson being appointed agent general in Paris. I am always overjoyed when a woman gets an appointment of that kind, particularly a woman of such talent as Adrienne Clarkson, who comes out of the broadcasting field.

Maybe that is another clue. Maybe one has to have some television in one's background to get appointed to a position like that. What puzzles me somewhat is that I find Adrienne Clarkson is not only Ontario's woman in Paris, she is also Westin's woman in Canada and continues to participate in a series of advertisements for Westin Hotels.

When I first saw that ad I thought it was rather strange. How does one maintain a position as agent general representing Ontario and at the same time represent a private hotel company? Is there not a bit of a conflict there? It would be rather unusual, for example, to see that with the deputy ministers of the crown, who I guess are parallel because Ward Cornell came from being agent general in London to become deputy minister here. What if all the deputy ministers decide they want to be Westin's man in Canada and we see them turning up in advertisements in Time and Maclean's? Is there not a conflict in that?

What would happen if civil servants at a different level or, not to confuse the terms, people who work for the government of Ontario at some other level decided to go into advertising as an offshoot? I investigated that a little and I understand Ms. Clarkson entered into some kind of agreement, as do many people in the entertainment business, to participate in this advertising campaign. It appears the arrangements for the ad campaign and her participation in it were finished and pretty well wrapped up prior to her being appointed agent general. That leaves us with the embarrassing thing that the agent general for Ontario continues to have her picture used in an advertising campaign.

It really struck me that an honourable, scholarly and dignified gentleman like the minister would have no difficulty in convincing probably one or two people, including Ms. Clarkson, that it was not appropriate for an agent general to continue to participate in that kind of advertising campaign. Perhaps he might even have used his many skills and charms on Westin Hotels to point out that it was a bit of an embarrassment to have someone in almost a diplomatic post for Ontario participating in an advertising campaign for a commercial company like a hotel chain.

It is true that Adrienne Clarkson is a prominent citizen of Ontario and now agent general for Ontario in Paris. This really should preclude her participation or the use of photos or whatever by Westin Hotels to promote a commercial entity. That is not appropriate. I think some gentle suasion might be in order on the part of the minister, because if that precedent is left to stand it raises a number of very interesting difficulties the government could get itself into.

This is a matter which is not really appropriate. This is not to make a big deal of it but to say that if the government is attempting to establish these quasi-embassies with agents general of high calibre around the world, one of the things we have to do is to recognize that one cannot be in Paris representing Ontario and in magazines in Ontario representing Westin Hotels. There is a clear conflict there that needs to be resolved.

One other thing that came to my attention last year was that a gentleman by the name of Hugh Segal, a prominent fellow a lot of us have met and many of us like, went to work for Intergovernmental Affairs.

Mr. Laughren: Jonathan Livingston's brother.

Mr. Breaugh: I am not sure he is Jonathan Livingston's brother. Because I have an abiding interest in his activities, and seeing he is rather successful in most of the things he does, I tried for a while to find out exactly what it was he was doing.

Mr. Boudria: Concerned about his wellbeing?

Mr. Breaugh: Yes, I am concerned about his future. I wanted to know what it was he was doing because it appeared to me he was extremely active. He was moving about from province to province and was very busy. It is not too clear, though, exactly what the role is and we keep coming back to that central problem with this ministry. We can find out who the players are. They are often prominent, high-profile, political entities. We know they are very busy because they are here and there, at airports across Canada and now around the world, but when we

try to ascertain exactly why they are there, we come up with some rather loose answers.

4:30 p.m.

The best explanation I have had is that Hugh Segal, devoted Conservative that he has always been and always will be, was spending a good deal of time going about Canada, from province to province, testing the waters to see if the nation desired the Premier (Mr. Davis) to be drafted as the next federal leader of the Progressive Conservative Party. It seems to me that explanation is rational in some respects; but not rational if one assumes he was supposedly doing some wonderful work for Intergovernmental Affairs.

I know the scope of involvement over the years by men such as Hugh Segal has always been virtually unlimited. When the Tory party needed something done, it always seemed to have lots of these people around, usually bright, usually young and usually men who were very active in the legal field, in advertising or entertainment. The list of prominent Tories who turn up in top government jobs is almost endless.

It is interesting to test that and to see what Mr. Segal's position was with the ministry. Exactly what was it about the government's business in Ontario that required him to tour Canada extensively?

Mr. Boudria: A gopher.

Mr. Breaugh: I would not pay that kind of money for a gopher. I believe he must have had a serious mission and there must have been a good explanation as to why he was criss-crossing Canada at such an alarming rate being very busy. Was he working for Ontario, for the Ministry of Intergovernmental Affairs, or was he fulfilling some higher call and attempting to get our Premier to run for federal leader?

Not that it would not be an act of mercy for someone to run for the position of federal leader of the Progressive Conservatives. That certainly continues to be a problem and there seems to be a succession of Premiers lining up to be drafted. I find it a unique situation that none of them, not the Premier of Alberta nor the Premier of Ontario, is actively seeking this. They are all just grooming the nation to get ready for this second coming. It will be interesting to see that as it goes through.

There are a number of other matters that other members want to get into, but I did want to respond to the minister's opening remarks which I found quite fascinating. It appears to me they lay the groundwork for something that would be substantial even if, in his own words, he only spends $7.1 million. He seems to be embarking on a program which seems to ensure that in the future he will not be so modest with his expenditures.

We have a chain of offices set up around the world and the groundwork is there to expand those offices. Once you have set up shop in downtown London or Paris, and you are paying the freight for that high-rent district anyway, you might as well fill the joint with some classy furniture and classy staff people. You might just as well expand it into a full diplomatic operation. One can see the potential is there and, if you keep at it, the list of defeated Tory candidates is there too, so there is a pool of people to draw upon.

Now that you have branched out into the entertainment industry, the world of news and Hockey Night in Canada, there is almost an unlimited field of what seems to be the kind of potential candidates you are looking for. There is lots of room to expand and I am sure in future years the ministry will do exactly that.

I do think there is an important role for this ministry to play. I would like to see it more active in some respects and not so active in others. One that I mentioned previously which I think is worth the minister's time is to be more active with this Legislature in terms of intergovernmental affairs and relationships.

I know that it is not often he has the legislative responsibility of taking a bill through the House and that once a year we will get a shot at him during the course of the estimates, but from time to time, when there are matters involving other provinces or other nations, I would be happy to see this minister take some initiative so that one of the things done in the order of arriving at a final position is to involve the Legislature of Ontario, at least in having debates about matters that are of great concern to us.

I went through them earlier. In economic terms, social terms and in developing the nation, the impact is there and we have set the precedent. We have had debates on the Constitution and some other matters. It would be useful if the minister would provide this Legislature with the opportunity to participate in the decision-making process even if it is only at the debate level.

One thing which does concern me from time to time is that Ontario takes positions in relation to other provinces, to the federal government and to other nations on which the members of this Legislature have only the media as an information source. The members of the Legis-

lature have no real opportunity to discuss in any detail the ramifications of the changes that have been made by the federal government on established programs financing or the ramifications of our relationship with the United States around trucking agreements, or around the General Agreement on Tariffs and Trade, or the auto pact, or any of these other matters.

While I am not asking the minister to drag legislation through all the time, I do think it would be appropriate if, from time to time, when there was a major matter of that kind on the minister's agenda, one of the things he might like to plug into, one of the things which might be useful for him, is to ask the members here, on all sides, not just on his own side, to participate in a little afternoon session about whatever the issue of the day might be.

I do have some other questions which I would like to ask if we have some opportunity. The time scheduled for this debate is a little on the short side, and I am aware that other members wish to participate. So I will conclude my opening remarks here.

Mr. Chairman: In consideration of rotation, the member for Prescott-Russell may have some questioning. Do you have questions on some specific votes, or is there general agreement that we will just discuss it in general?

Mr. Boudria: As far as I am concerned, Mr. Chairman, I am quite agreeable to discuss it in general terms, if the minister agrees. Sometimes it is rather difficult to identify whether a thing belongs specifically to one vote or another.

I have a few questions. Perhaps I can just list them and the minister might like to respond to them all at once, if that is okay, Mr. Chairman.

First, as a Franco-Ontarian member, I would like to start by saying that I think—as a matter of fact I am sure—the Franco-Ontarian population have great admiration for the minister. They, of course, do not agree with a lot of the policies of the government but they certainly have a lot of faith in the minister and in his deputy, who I see on the floor of the Legislature at this particular moment. They have quite a bit of confidence in the minister and they are hopeful he will be able to convince some of his colleagues to enact some of the things they think and I think should be done in this province.

The few questions I have are in regard to the relationship between Quebec and Ontario. As we all know, if we go back far enough in history, where we are today used to be part of Quebec prior to the Constitution Act of 1791. What was known later as Lower Canada and Upper Canada was all joined together into what was known then as the province of Quebec. In 1791, to the west of the seigneury Vaudreuil, the province was then separated into two parts forming Upper Canada and Lower Canada. Since then, we have had what I consider to be very close co-operation between the two provinces dating from the days of Baldwin and Lafontaine, and throughout the reform movement and after the British North America Act of 1867.

In the past few years we seem to have seen a deterioration of that rapport which used to exist between the two provinces. I would like the minister to comment further upon that. I know he has done so to a certain extent in his opening remarks, and I recognize how difficult it is to deal with a government whose primary objective is to destroy the Confederation that we know today. That, of course, is the philosophy and the ultimate objective of the Parti Québécois government. That does not make dealings between the two provinces easy to undertake.

4:40 p.m.

The one issue that I would like to get some response to is one I raised last year in the House, and it has to do with the labour dispute between Ontario and Quebec, contractors' disputes and so forth. The minister is probably aware of the situaton in my constituency, that it is very common for the people of Grenville, Quebec, to work in Hawkesbury and the people of Hull to work in Ottawa, and I would imagine that the member for Cornwall (Mr. Samis) could tell us that a lot of people living in the Vaudreuil area come to work in Cornwall.

The people of Quebec have free access to come and work in our province, especially those in the construction trades. However, the opposite does not work very well. As a matter of fact, the minister is aware that it is almost impossible for tradesmen from our province to seek employment in Quebec. I have written to the minister on a few occasions on this subject, and I would like to know what progress he is making in negotiating with his Quebec counterpart to allow a freer movement of labour, contractors and machinery between our two provinces.

He will remember the incidents of three or four years ago when the heavy equipment association of Ottawa threatened to seal off the interprovincial and the Macdonald-Cartier bridges in Ottawa in order to prevent traffic from crossing the river until their grievances were settled. The issue seemed to subside at the time, probably because for a while there was no work

on either side of the river, therefore there was not much point in challenging anything.

We did not see a solution to that problem, and now, with the construction of large projects in Ottawa, such as the Rideau Centre and other things like that, and in Hawkesbury the construction of the hospital, there is still a certain amount of work, at least in eastern Ontario on the Ontario side; but there is very little work on the Quebec side, and the Quebec labourers are crossing the border. Of course, we are all in favour of that in principle, but what disturbs me is that there does not seem to be any reciprocity there. It is possible, as the minister well knows, for Ontarians to obtain special licences allowing them to work on the Quebec side. They are almost like work permits; they are obtained through the different trades and they are very difficult to get.

I would like to know what progress, if any, the minister has made with his Quebec counterparts or with the Quebec government. I recognize that dealing with them is not all that simple, but just what has been achieved to improve matters with that government and for the people, principally those of eastern Ontario and to a certain extent northeastern Ontario? As we get into the area of Timiskaming and so on, where there are also communities close to the Quebec boundary, there is a similar situation.

Mr. Chairman: Is that the question now?

Mr. Boudria: Well, that is one question. Perhaps I can let the minister respond to that one.

Hon. Mr. Wells: I would be happy to answer that, Mr. Chairman. This certainly is a problem that has occupied much of the time of several ministers in this government over the years. My perception would be that as a problem it has to some degree vanished at the moment. That may be because it is not getting as high a profile, and I am sure the honourable member, whose riding is down on the Ottawa River, is more aware of it than I am at this time.

I am now just recalling some of the events from memory. Most of the meetings that went on were between our Minister of Labour and the Quebec Minister of Labour, because it basically concerned labour problems.

Mr. Samis: Dr. Elgie and Dr. Johnson.

Hon. Mr. Wells: That is right. Dr. Elgie and Dr. Johnson met many times on it. And, of course, the meetings occurred at the time that Quebec brought in new policies regarding who could work where in Quebec. As the member is aware, there is not the completely free movement of the construction industry trades around that province as there is in this province.

This presented some problems to the people from the Ontario side going across to the Quebec side. We talked about certain arrangements that could be made, at the same time also introducing in this Legislature what could have been termed a retaliatory type of bill; in other words, a bill that would have done some things that would have put us in the same category as Quebec and allowed us to stop certain things from happening, as I recall.

I believe we all breathed a sigh of relief when that bill did not have to be proceeded with, because a basic bedrock of the policy of this province always has been not to retaliate in like against other provinces. We believe in the free movement of goods, services, capital and people across this country, and we believe in the Canadian common market; we do not believe in setting up barriers.

We know that Quebec has set up barriers; indeed, some of the barriers were set up long before the Parti Québécois came to power.

Mr. Boudria: Some?

Hon. Mr. Wells: Some of the major policies—and let us get away from all the new ground rules about where, who and what you need to conform to if you are a construction worker and working in a certain industry—policies such as those that did not allow Ontario contractors to tender on municipal or provincial jobs across the border were set up in the early 1960s, as I recall. Therefore, you had Quebec contractors coming across the Ottawa River and doing work up and down the valley, and at the same time their fellow contractors located in my friend's constituency, or in Ottawa or in the Renfrew area, could not go across and bid on municipal jobs. That kind of restriction came in well before the present government. We have talked many times about trying to get some relief from that. At this point, I am not sure we have arrived at any solution to that problem.

That leads to the ultimate question: If you cannot negotiate any solution to the problem, do you then do likewise? We have always pretty well decided in this province that we would not do likewise; in other words, we would not prohibit Quebec contractors from bidding on jobs in this province.

I do not have all the facts and figures here, but my recollection is that after about a year or a year and a half of the new labour arrangements being in place in Quebec, there were actually

just as many Ontario workers going into Quebec as there had been before. In fact, the new rules had not cut off a number of people from moving from this province to work in Quebec; things were really very much as they had been before.

I recall very well the heavy equipment problems. I do not know that we have arrived at any solution to those problems, except I have not been made aware that there is any really great problem at present. I would assume that the heavy construction association in Ottawa would have made us aware if there were still some really dire problems there. I have to think that probably the discussions and talks that went on have allowed for some alleviation of the really major irritant points and that perhaps things are moving along fairly well there.

Having said that, there are still some very major Quebec-Ontario trade problems that are looming: the idea of barriers, the idea of whether you give a job to a firm in your own province even though it is not the low bidder; these kinds of things are still there. There are several of those problems sitting right on our doorstep at present, and they are going to be the basis of some talks that I am going to be having with the Minister of Intergovernmental Affairs of Quebec.

There has been some publicity in the newspapers about the intravenous solutions used in hospitals. There are some problems in the pharmaceutical area with regard to intravenous solutions; Baxter Travenol Laboratories of Canada Ltd. in Alliston, Ontario, and Abbott Laboratories Ltd. of Quebec are two firms in this area. That is a major problem, and there are some items associated with it that will be the basis of some of the discussions we will be having.

4:50 p.m.

I emphasize to you again that, underlying what we have tried to do in this province, we have not brought in retaliatory legislation. That would be like saying, "If we cannot get any agreements in Quebec"—and it has been very difficult in some of these areas—"we will do the same thing in Ontario." We have not to this point done that.

Mr. Chairman: In terms of rotation, the member for Lake Nipigon (Mr. Stokes) indicated his desire for some questions.

Mr. Samis: On this particular one?

Mr. Stokes: On the estimates: We are dealing with the whole estimates, are we not?

Mr. Chairman: Yes. The member for Lake Nipigon had indicated that to me quite a bit earlier.

Mr. Samis: I just have one point.

Mr. Chairman: Would the member for Prescott-Russell (Mr. Boudria) allow one supplementary, and then the member for Lake Nipigon?

Mr. Samis: I have a brief supplementary on the question since it affects my riding as well.

I agree it is not a high-profile issue any more, but I call to the minister's attention that about two weeks ago in my riding office I had to deal with the case of a tradesman from Cornwall who had got some work in St. Jerome, Quebec, and was fined. I do not recall the exact figure, but I think it was $600. He was sent packing very quickly when they found out he was working in Quebec.

A major construction project is to be initiated in our area in the spring, I think. It will be a source of local controversy if workers are brought in from Valleyfield, Quebec, or from anywhere on the other side of the border. The minister talks about the issue not getting much publicity any more, but the fact is that border is effectively sealed when one gets out of the Outaouais region.

Mr. Minister, has any progress been made? You talked about retaliatory legislation. I introduced a bill, but we in Ontario have achieved nothing. However, I understand Quebec interests got exactly what they wanted; they have done it and gone ahead. The system is in place and is working very effectively for them. There have been no concessions or compromises with respect to the construction trades working outside of the Outaouais region, with the end result that Quebec gets all the marbles and we get nothing. If I am incorrect, I would ask the minister to correct that impression.

Hon. Mr. Wells: I do not have the figures here but, as I said, my impression is that after having been in operation for about a year—and I will be glad to check this—the number of Ontario tradesmen who are working in Quebec now is the same as it was before the new Quebec legislation came into effect.

In other words, while it was suggested that a wall would be built and the border would be closed, that did not happen. I was told, and so was the Minister of Labour when he talked with Dr. Johnson: "Don't worry about this. There will be special arrangements and permits will be issued so these people can come over."

Mr. Samis: That was, what, two years ago?

Hon. Mr. Wells: But I understand the same number of people have been going over. There may not be more of them going over, but we have not been hurt to any degree. The people who were moving over the border to work are still able to do so.

With things being as they are, it is probably not a good time to use that as an example because times are tough all over. There certainly have not been more people trying to cross the border, but I suppose there will be cases where more people will try to do that.

Let me also tell you, one of the big impediments to our discussions of these matters is the desire of the people of Quebec to change the way we operate in this province. We have had to tell them there is no way that we could change; that we would not want to interfere in that particular area by government decree or by legislation. That, of course, has to do with union hiring halls, so I am told.

I am not as familiar with that system as my friends over there probably are, but in the system which is used in this province to determine who will be hired in certain areas, it is all done through the union hiring halls. That is one of the impediments to discussions with Quebec. They would want some quid pro quo on our methods of handling that and we have just had to say to them, "Look, that is not an areare we have or would wish to have any control or jurisdiction."

Mr. Boudria: If I could proceed with the same question, I have one final thing.

Could it be that the minister is, perhaps, confusing the issue of organized labour from Ontario working in Quebec with the issue of small contractors? I think that is an issue which the member for Cornwall (Mr. Samis) — not that I am trying to paraphrase what he was saying — and myself find to be the biggest part of the problem. In my area are tradesmen who are working for themselves, the self-employed types of people: the small contractor with his two sons, who gets a job reroofing the arena someplace on the Quebec side, 20, 30 or 40 miles away. He puts his ladders and equipment in the truck and goes over there and comes back not paid and with a big fine or something.

The statistics you have indicated are probably accurate in so far aş people who belong to labour unions or people working on large construction sites are concerned. It is probably true that we have as many as before, but do you have any figures as they relate to individual contractors and the number of arrests made on the Quebec side and the number of fines levied on small Ontario contractors going there to work? I believe that is a somewhat different issue. I am sorry if the two trends of thought got somewhat confused when I asked my previous question, because one really does not have much bearing on the other.

I am worried more for those small businessmen where work is scarce. We have had this experience lately at the church at L'Orignal, which is in my constituency. A contract to repaint the church was given to a contractor from Grenville, which is okay; but if a contractor from L'Orignal were to seek the same job at the church at Grenville, he would not have got it. Had he tried to do the job, he would have come back with a fine and nothing else. That is the kind of thing that worries me.

Hon. Mr. Wells: Mr. Chairman, my friend is quite right. There are the two problems. The construction labour problem is one; the other is the small contractor. As I indicated, even in 1962 there were some restrictions on those small contractors. For instance, in roofing a municipal arena, probably those kinds of jobs were not open to the contractors because the government said Quebec firms were supposed to tender on anything where provincial or municipal money was involved.

I do not believe that any progress has been made in those particular areas. I would also have to say that it is not because of any want of trying on our part, but we have been singularly — I guess, unsuccessful; unsuccessful is not the word, but we have found the other government particularly unmoving in some of these particular areas when it comes to jobs like this.

Times being what they are today, it is even more difficult to get any agreement. You will always get the general platitudes when we sit down to talk, such as: "We really do not want to interfere in these particular areas. Low bids should be the way you get a job," and so forth, but it always ends up much the same as what my friend has said. In some cases, people are fined or licensed.

The best thing I can say to you is that we will put it on our agenda for discussion. We are having a discussion with intergovernmental affairs people on economic matters in the next little while, because some of these pharmaceutical ones I have indicated to you are really pressing at the moment. We will have a discussion about these matters also.

The best thing would be for you to get us some exact examples. If you have a couple of

exact examples where we can say: "So and so went to this place. He had the job there, but they would not let him do it; they fined him," or something similar; we can then use that and get them looking into it and trying to give us the reasons why so and so and such and such happened.

Mr. Stokes: I want to get back to something the minister referred to in his opening remarks. It was pursued a little further by my colleague the member for Oshawa (Mr. Breaugh). It has to do with the role that this ministry will play in setting up the first ministers' conference to deal with native rights, something that was promised when the Constitution was patriated.

The minister will well know that all the native associations, whether they are treaty or nontreaty, in fact right across the country, including the territories, tried their level best with this government and the federal government. They made several representations to Westminster when they were dealing with the bill which would have the effect of patriating our Constitution, or the successor to the British North America Act, back to Canada.

5 p.m.

We all know that the responsibility for native affairs at this level of government belongs to the Provincial Secretary for Resources Development (Mr. Henderson). We just concluded the estimates of that secretariat within the past couple of weeks and my colleagues were very chagrined, indeed they were surprised, to see how little the Provincial Secretary for Resources Development knew about the whole process and about his responsibility for looking after the best interests of our native people and acting as a liaison, a co-ordinating mechanism, between this province and the federal government.

If the Minister of Intergovernmental Affairs and his very able and competent deputy, who is sitting in front of him, were to go back over the Hansard reports of the estimates of the Provincial Secretary for Resources Development and see how he responded to the questions that were put to him about that secretariat's involvement in native affairs, I am sure it would be not only quite a revelation to the minister but also an embarrassment to him, because when the provincial secretary was asked what they were doing, he said: "Well, I want to make it quite clear to the committee that native people in the province are really children of the federal government."

When anybody who presumes to speak for and accepts the responsibility for native affairs makes a paternalistic statement like that, we know there is nowhere to go but downhill if that secretariat is going to carry the responsibility of this government for speaking about the very sensitive issue called native rights, whether they involve land claims, treaty and aboriginal rights, the right of our first citizens to use our fish and wildlife resources in the traditional way or the 1924 agreement.

We asked the provincial secretary for some kind of elaboration on the role that his secretariat was playing. We did not get any answers at all.

The only indication we have had that there may be some hope in the upcoming first ministers' conference dealing with native rights is the fact that this ministry will be involved. While I do not like to put the finger on people who seem to be incapable of grasping the magnitude and importance of native rights in Ontario, we have to realize that it is probably the last chance this government, and indeed all governments across Canada, will have to pursue an opportunity to demonstrate to the first citizens of this country that we are prepared to accept our collective responsibility for living up to those treaties that were signed by commissioners, a good many of them appointed by Her Majesty Queen Victoria during her reign.

If the Provincial Secretary for Resources Development or the Minister of Intergovernmental Affairs and his very capable deputy wanted to find out where it is at with a good many of the native groups and individual bands, all they have to do is go into some of those remote northern reserves and ask them their perception of the treaties they signed. I refer particularly to Treaty 9 and its adhesions. These people have a very vivid recollection of what was intended when that treaty was signed.

I have correspondence with constituents from many years ago when we were dealing with land claims and treaty and aboriginal rights. I would get a copy of a letter actually addressed to Queen Victoria. I have copies of letters addressed to me with copies to Queen Victoria, and to the Right Honourable Robert Stanfield when he was the leader of the federal Progressive Conservative Party.

It may sound a little strange and bizarre talking about those communications in 1982, but I want to assure members that their perception—not of all but some—of those treaties goes back to when they were first signed many years ago. Their perception of what they meant

has been passed down from generation to generation. These are not fables or legends; they are the very real perceptions that people living in Ontario in 1982 have of what those treaties meant.

There was an iron-clad commitment made by the first ministers when the Constitution was patriated that the first ministers would sit down in a very constructive and sincere fashion and discuss the very important issue of native rights before the year had expired. What has happened since then? I have raised the issue on a number of occasions with the Premier, principally in question period, and asked him to assure us, as I have asked the Attorney General (Mr. McMurtry) to assure us, that these meetings would be held in good faith and with a sincere desire to resolve these very important questions that have been bothering our first citizens and many of their organizations and the federal and provincial governments.

5:10 p.m.

When we pursued this with the minister's colleague the provincial secretary, he became very defensive and pointed to one of his staff members of native descent who happened to be in the room. One wonders just how embarrassing it must have been for other people in that secretariat to have the provincial secretary say: "Mr. So and So in the back of the room, you are a native person. Get up and tell these people, these infidels, what your nationality is."

How embarrassing it must be to anybody who is at all sensitive to the problem that we have a minister, the lead minister responsible for native affairs, asking a person of native descent to get up and tell everybody what his nationality is. That is the state of the art with regard to native affairs as it involves the Provincial Secretary for Resources Development.

I happen to know there was a meeting of deputy ministers not many weeks ago. I believe it was held in Winnipeg. Two of our deputies from Ontario were in attendance. One of them was the Deputy Provincial Secretary for Resources Development. I think the other was the Deputy Minister of Intergovernmental Affairs. That is very heartening because if anything meaningful, useful and productive is going to happen, it will have to be under the auspices of the Ministry of Intergovernmental Affairs.

I know that in terms of land claims we have had one that has been going on for several years that affects the satellite communities of the Fort Hope Indian band up on the north shore of the Albany River. The residents of Webequie, Lansdowne House and Summer Beaver have been trying to get reserve status by negotiating for additional land upon which they could formally establish a reserve. It is not that they have not been living there—they have been living there for decades—but legally they do not have the status of a reserve. When they ask for capital funding from the federal government, it has to be through the Fort Hope band on Eabamet Lake.

This province realizes it has a responsibility to attempt to resolve this problem, as does the federal government. I think they have even gone so far as actually to have defined the area that will be designated as the Webeqiue reserve, the Lansdowne House reserve and the Summer Beaver reserve, but it is provincial crown land that must be ceded to the federal government and held in trust for the native people. I am told the one thing that is holding it up is that this government says, "We will turn that land over to the federal government to hold in trust for the native people as long as the federal government compensates us at fair market value."

Webequie is up on the Winisk River in the midst of a proposed provincial park, Lansdowne House is up on Attawapiskat Lake and Summer Beaver is not very far away. Those people want to establish a reserve for purposes of conducting their affairs in the same way as one of the 800 municipalities in Ontario wants to become incorporated as a legal entity for purposes of doing business on behalf of its citizens with the provincial government or the federal government; they want to become a creature, if you will, of the federal government, by virtue of having established a reserve in the same way that the 800-plus municipalities in Ontario wanted to become incorporated into villages, townships, towns or cities for purposes of doing their business.

There really is not very much difference. If you looked at a good many of the statutes that exist in Ontario right now that have been amended over the years to allow for reserves to participate in cost-sharing agreements, it is a legitimate pursuit. It is enshrined in a good many of our statutes that being established as a reserve is worthwhile in the same way as it is to establish a town like Kirkland Lake or Sarnia or any other of the municipal organizations across the province.

We got so close to signing that agreement, but the federal government said no. If the province is going to dig its heels in and say, "The only way this is going to happen is for the federal govern-

ment to compensate you people at fair market value for the lands you are going to turn over to provide this reserve," that is not the way to do it. If the province wants to be seen as acting in good faith to assist our first citizens in coming into the mainstream socially and economically in their own good time while maintaining their own cultural values, that is not the way to go.

I know the minister is not aware of these details; I could stand here for the rest of the afternoon indicating other instances of where this government is not only turning its back on the legitimate aspirations of our first citizens but also actually standing in the way of the kind of development that is going to bring our first citizens into the mainstream.

Let me give one more example; it deals with a 1924 agreement between the federal government and the province on behalf of our first citizens. In that agreement is a clause that states that wherever there is mineral exploitation and development of mineral values on an Indian reserve, a certain royalty payment will have to accrue to the Treasury of this province before our first citizens can exploit the mineral values that are on their reserve. They are the legitimate owners, but before they can exploit those values they must make a payment to the crown in the right of the province for the right to harvest or to exploit those mineral values.

5:20 p.m.

I know that a good many of the minister's colleagues, including the present Minister of Northern Affairs (Mr. Bernier), agree that it should be waived. That provision of the 1924 agreement has been waived in a good many instances with other reserves in southern Ontario. Our colleague the member for Kenora, as I say, agrees with it; the former minister and member for Cochrane North, René Brunelle, agrees it should be waived; I am told that even a former Treasurer thought this provision should be waived in order to foster economic development based on the mineral wealth that is found on a good many of those reserves up north. But the present Treasurer (Mr. F. S. Miller) will not do it, so it sits there idle.

The Provincial Secretary for Resources Development has not pursued this vigorously. Maybe they have talked about it in cabinet; maybe the rascals over there collectively have said, "We are not going to do anything for our first citizens," and so that is the end of it.

I do not believe that to be the case, but if it is, I think they had better come clean and say so. If they are genuinely interested in looking after our first citizens with regard to native rights, they had better at least inform themselves of what is involved so that we as Canadians can live up to the treaties that were signed on our behalf many decades ago, because if they are going to go ill informed into the first ministers' conferences they are going to hold next March, if they do not know what is involved, I think they are going to come out with egg all over their faces, they are going to be embarrassed and our first citizens are going to be even more disillusioned and disenchanted than they are at the present time.

There was an answer to a question that my colleague the member for Riverdale (Mr. Renwick) put on the Order Paper. He asked the Attorney General (Mr. McMurtry) how many outstanding problems there are where at least some degree of negotiation is going on between the province and our native citizens. As I recall, something like 47 were enumerated.

I do not know who does this, whether it is the Provincial Secretary for Resources Development, the Minister of Natural Resources (Mr. Pope) on behalf of the crown, the Attorney General on behalf of the crown or whether this minister has some responsibility; I do not know and the native people do not know. But I can tell the minister that if he wants to lose his credibility as a proponent of native rights and as somebody who is going to play a very key, active, physical role in those first ministers' conferences or this meeting that he is committed to holding next February, he had better get somebody in there who is much more dedicated to the whole process and much more aware of the problems so that when he sits down he can speak with authority and conviction on all the things that are troubling our first citizens. Whether they be treaty, nontreaty or Métis, at least he should know what he is up against.

I have one final comment. He has had since last February, I think, to consult with native organizations. I know his government has provided them with some funds, but I think they were generally dedicated to assisting them before the fact, before we had a Charter of Rights and before we had our own Constitution as a successor to the British North America Act; but little or nothing has been done since that commitment was made to hold the first ministers' conference within a year.

I know there has been no dialogue in this House. I know there has been no attempt by your government, your ministry or the provincial secretary to get members of the House who

are concerned about these things, and perhaps a little knowledgeable, to sit down and say: "What should we be doing? How should we be addressing this so that we can at least appear to be sincere and knowledgeable about the magnitude of this whole problem?"

Why would you not have convened a meeting of maybe eight or 10 members of this House who deal with our first citizens on a regular basis, such as the member for Algoma-Manitoulin (Mr. Lane), the member for Rainy River (Mr. T. P. Reid), the member for Cochrane North (Mr. Piché) or the member for Brant-Oxford-Norfolk (Mr. Nixon)? I am sure we have at least 10 members of this House who deal with many aspects—oh, the member for Raintree, is it?

Mr. Laughren: Shining Tree.

Mr. Stokes: Shining Tree; the member for Nickel Belt. We all have a genuine concern and a genuine hope that this first ministers' conference that is going to take place in March will be meaningful and will at least indicate to our first citizens that we understand the problems and are prepared to sit down and, in concert with other first ministers of other jurisdictions, including the Prime Minister, come to terms with this problem—which will not go away, it is going to continue to get worse.

I am pleasantly surprised to see that this ministry is going to play a part in setting up the agenda for that meeting. I see no hope for our first citizens if it is left to the machinations and, in fact, the ignorance and the indifference of the Provincial Secretary for Resources Development. The only hope I see is this minister and his very capable deputy, and I would like some assurance that they are approaching this very important problem in the way in which I have attempted to explain it here this afternoon.

Mr. T. P. Reid: Mr. Chairman—

The Acting Chairman (Mr. Barlow): I had the member for Prescott-Russell down first.

Mr. T. P. Reid: The member has kindly allowed me to follow on this topic and I, too, will be very brief. I would like to associate myself with most of the remarks made by my colleague who has just spoken.

Last year during the Premier's estimates I raised some of these problems, particularly the one which bothers me, and it is more of a procedural, mechanical thing, but the minister has indicated that there is going to be a conference next February. My friend has alluded to the fact that the people most directly involved probably are not going to know what is going to take place in that. Certainly, if history is any teacher, the members of this Legislature are not going to know what is on the agenda and if we do know what is going to be on the agenda we are not going to know Ontario's position.

I do not want to reiterate unnecessarily, but my point to the Premier is that the Premiers of the provinces and the representatives of the federal government basically wrote a new Constitution for Canada without a great deal of reference beforehand to this assembly, or to the House of Commons or to any of the other provincial assemblies. In fact, most of us woke up—I believe it was a Saturday morning—to read in the Globe and Mail that the Premier of Ontario had thrown a chip on the table, showed his cards in some respect and said, "Ontario is willing to give up its veto over provisions in the new Constitution if we can arrive at some consensus and get on with the job."

5:30 p.m.

I am glad the Premier did that. It is to his credit that an agreement was reached probably because of that move. We are caught in a dichotomy in that we applaud the Premier's efforts in solving that particular impasse, while the Premier, without any reference to this Legislature or any real debate on these matters, played Ontario's cards. We were left to bang our desks when the accord was reached, but we never had a full-scale debate or even an accounting of what happened in regard to our own Constitution.

I realize there is a problem here. How does this Legislature accommodate to these kinds of talks without a show of cards beforehand? We all know of the manoeuvring and negotiating that takes place. I felt this Legislature had largely become irrelevant, because on the big issues of the day, such as the new Constitution—let alone a lot of the minor ones like Suncor—this Legislature is not consulted, nor does an exchange of views take place in a debate on these matters; and there is no accountability after the fact except, presumably, somewhere down the road when we have an election someone can stand up and say, "I did not like what you did on the Constitution; therefore, I am going to vote against you."

We know very well that by the time the next election comes around, and the government always counts on it, people will have forgotten the sins of omission and commission of the government and will be pressed with more immediate matters. These things will go by the board.

I do not pretend to have any easy answer to this, but it seems one answer might be for the Minister of Intergovernmental Affairs to say during his estimates, or in a statement to the House, and perhaps provide time for a debate: "These are the topics we intend to discuss on the subject of native rights and the Constitution. These are the positions we intend to put forward. This is Ontario's agenda."

If I am frustrated and feeling somewhat irrelevant to the whole situation, you can imagine the frustration of native communities across Ontario whose rights and privileges were a matter of some backroom negotiating and bargaining while they themselves remained almost irrelevant to the whole process and really were not asked what they would like.

I would say the native people themselves have a problem in that they cannot always decide exactly what they want or what their position should be. It seems to me that for years the senior levels of government have used this indecision as a means of dividing the native people and ensuring that they do not speak with one mind and tongue. It has been used as a ploy to avoid having to deal with their concerns at all.

I would like some kind of commitment, beyond that which we have had so far from the minister, that there will be full discussions with the native people before the meeting in February; that the minister will come back to this House and lay before this assembly their concerns, as put on his agenda; that he will put on the agenda of Ontario the priority matters as he sees them, and perhaps some that are not so important but ones which will be discussed; and that he will give us some justification for the position being put by Ontario.

I say this so that we can give some guarantee to those people who will be most directly concerned, the native people, and to restore some relevance to the political process so that we on this side, and some of your own members who represent native communities, will have some kind of input and opportunity to discuss these matters. It would, for them and for us, make us feel a little more whole in terms of the new Constitution of Canada, in that we might have some small part to play in representing the people and putting forward their views so we are ensured that they are considered.

Nobody is suggesting that each and every thing that is asked for, by either the native people or anybody else, is ever fully addressed, but it certainly would do the process a great deal of good if these matters were brought before the people who are most directly concerned and the legislative process.

Hon. Mr. Wells: Mr. Chairman, I will comment on these two presentations about the ongoing discussions that will lead up to the first ministers' conference on native peoples which will probably be held, as I indicated in my opening remarks, some time in early March 1983. Let me just sketch for you exactly what is happening at the present time.

It has always been and will be the intention of the delegation from Ontario to involve the native people and the native organizations and groups of this province in our discussions. I have indicated that we have made some financial resources available to them so that they can prepare reports and documentation and do some research leading up to their participation with us, and there will be ongoing participation from the status organizations, the Ontario Métis Association and the Native Women's Association of Canada.

Following the meeting in Winnipeg of deputy ministers, which my deputy and the Deputy Provincial Secretary for Resources Development attended, four working groups were set up. These working groups cover four areas of concern as we work up to the agenda for the conference.

The subject area of the first working group is political issues. That working group is going to look at certain things such as a charter of rights for the aboriginal people—should it have a preamble and should there be something of this nature in the Constitution? They will look at the area of women's rights. They have been asked to look at the area of representation or guaranteed representation in elected legislative assemblies, an amending formula that might include consent and the issue of participation in international issues. You can see that there is a pretty broad range of issues being looked at under the overall heading of political issues and some of them go pretty far afield. They are perhaps further afield than anyone would like to contemplate at this time.

The point I am making is that there is to be a look at a fairly broad range of issues in the political area by this working group and out of that will come some suggestions for what issues should be included on the agenda of the first ministers' conference.

The second working group will deal with economic issues, mobility rights, hunting, fishing, trapping rights, affirmative action programs, economic aspects of services delivery and other

issues that are in the broad area of economic issues.

The third working group is dealing with social issues, language and cultural issues, social aspects of service delivery such as education, and in the area of family law.

The fourth working group is dealing with what we would call process issues. In other words, after the first ministers' conference has concluded, where do we go from here and what should be the process, because obviously there will have to be an ongoing process of discussion of a number of these items. They will not all be solved in a three-day or four-day conference.

These working groups are expected to prepare comprehensive reports which will set out the issues relevant to these particular areas. The reports are to narrow down the issues; they are to indicate where possible areas of agreement or consensus exist. These reports will then go to the Deputy Ministers of Intergovernmental Affairs and the federal people, who will bring them forward to one of the ministers' meetings. I would assume that ministers' meeting will take place some time next January and that the ministers who will be meeting then will be the group that was the continuing committee of ministers on the Constitution, which met for many meetings before the last constitutional accord.

5:40 p.m.

As I mentioned in my opening remarks, the Attorney General (Mr. McMurtry) and I will be attending from this province as the ministers at that body, where we will sit through the various working group reports and will attempt to suggest some agendas and do some of the ground work so that the first ministers will have before them agendas and materials on which to carry out their discussions.

Just to give an example of how these working groups are operating, there is one meeting this week in Ottawa starting tomorrow. The first three working groups are holding their meetings in Ottawa starting Wednesday morning. My deputy, Don Stevenson, Anne Ritchie and Larry Kearley will be there from our ministry, Judy Clapp and Dan Russell will be there from the Provincial Secretariat for Resources Development and Carole Creighton will be there from the Attorney General's department; they will all be there taking part in the discussions at these various working groups.

As part of the working groups there will be representatives from the three national native organizations, the Inuit organization, the national Native Council of Canada and, I hope, the assembly of first nations. I say I hope because we are not sure whether the assembly of first nations is or is not participating at this time, but I hope they will be. They will be working in these groups together with the provincial and federal delegations.

I would say very clearly that as the process continues towards the first ministers' meeting, there will be involvement of the native peoples all through the process. While it may be determined that around the table at the conference there will be the first ministers, that is the Premiers and the Prime Minister of Canada, along with representatives of the territories and the three national native groups, the Premier (Mr. Davis) has guaranteed that the Ontario native groups will be in the Ontario delegation, they will be part of the Ontario delegation. But at the present time it looks as if the native people will be represented around the table by the three national groups.

I do not know that I can tell the member anything more except that the work that has been going on is quite extensive, the look that is being taken at all the kinds of issues that will come up is really very extensive and has only begun.

I have here a document. It is not a public document at this time; I would like to peruse it a little more to make sure it should be. I really do not know any reason why it should not be, but it is a study paper that was done for our ministry over the last eight months by a Cathy Lace. It is not a poll. It is a study by Cathy Lace, who is a lawyer working on contract for our ministry. It is called The Constitution Act, 1982: Potential Impact of the Provisions Regarding the Aboriginal Peoples and the Options for Ontario. She has had a fairly extensive look at the various options and areas that could form part of any presentation or any positions this government puts forward. Obviously more work will be needed on a number of the areas, and policy decisions will have to be made as to whether they are the policies this government would put forward as its official positions.

I can say to my friend that I will endeavour as far as is humanly possible to see if we can share those positions with you. The logistics sometimes become difficult. If the first ministers' conference is in early March and the House is not sitting, it becomes more difficult to assemble everyone from wherever they may be during the winter months to inform them, but I will try to work out a process whereby we can involve

those members who are keenly interested in the positions that will be put forward by the government.

Mr. T. P. Reid: Could I ask a question?

The Deputy Chairman: I will allow a follow-through, but the member for Nickel Belt is next.

Mr. T. P. Reid: I will be brief. I have three questions. First, have the Indians been sufficiently funded and have they set up four committees parallel to the four you have discussed which are your working groups? Second, are there any native people on your working groups provincially? Third, have they assisted you in setting the agenda and the topics your working groups are working on. Have they assisted in setting Ontario's or the working group's agenda for the first ministers' conference?

Hon. Mr. Wells: The funding of the native organizations is done through the Provincial Secretary for Resources Development. They were funded for about $200,000 last year. I do not imagine the funding will be as extensive as that this year because—

Mr. T. P. Reid: That won't get them much.

Hon. Mr. Wells: A lot of that was connected with the research and some of the work they wanted to do, and the conferences they held to formulate positions.

It is my understanding there will be money available for travel so their participation in all the meetings will be taken care of. The participation of the native people in the various meetings, task forces and so forth will all be funded.

The Deputy Chairman: The member for Nickel Belt is next and then the member for Prescott-Russell is anxious to have a chance.

Mr. Laughren: Mr. Chairman, I will try not to be intimidated by the list of speakers to follow.

I believe there has been a phenomenon in Ontario which is a function of having majority governments. It is that governments take upon themselves the role of having the responsibility of deciding all the policies that will flow from this place. That bothers me because there are a number of areas where I do not think that should be the case. Native people's rights are one area where I believe the government would benefit from the opinions of both opposition parties on this side of the House. The other is one that was raised in question period this afternoon: Franco-Ontarian rights.

I suspect this minister is not the problem in either of these areas. Quite frankly, I am probably as partisan as anybody in this Legislature but, nevertheless, I really believe there are some issues on which the government should be prepared to take the opposition into its confidence and to establish working committees that will help come up with policies acceptable to the people involved. This is one of those issues. Perhaps the suggestion of a three-party committee is one the minister should think about in terms of native rights.

For example, I know when it comes to one major issue the native people are very concerned about, this government itself has been found wanting. It is fine for you to sit on a committee and to work with the federal government on matters involving native people's rights, but it is another matter to put your own house in order before you do that. I am referring to the matter of wild rice.

The Premier announced four years ago, I believe, there was going to be a moratorium on wild rice development by non-native people in the whole area of northwestern Ontario where most of the wild rice is grown. That moratorium is coming to an end. As a matter of fact, the last harvest of wild rice has occurred and there has been no extension of the moratorium despite repeated requests from native people's organizations that there be a moratorium.

Out of those four harvests, there were a couple of years when the harvests were not very good, another year when water levels were not conducive to a good crop and so forth. Also, at the beginning of the moratorium, the Ministry of Natural Resources did not show the co-operation they have been showing in the last year regarding the assistance promised to the native people for harvesting.

5:50 p.m.

I do not know how this government expects the native people to develop an integrated wild rice industry in four or five years, when I can tell you, coming from the community of Sudbury, that in the last 75 years you have not been able to develop an integrated nickel industry in this province. That is okay for you people, you still plug away, but for the native people, they have to develop an integrated wild rice harvesting industry in four or five years.

I find that outrageous and I really believe the government has an obligation to extend that moratorium. It depends who you talk to on that side as to whether or not there will be an extension.

I questioned the Premier in the Legislature last spring and he sounded very receptive to the

idea. Then I questioned the Minister of Natural Resources and he was not quite so receptive. The idea suddenly does not seem like such a good idea for the minister.

During the last couple of weeks, I got into an exchange with the Provincial Secretary for Resources Development, who is supposed to be responsible for native rights in this province. That experience was mind numbing.

When the member for Lake Nipigon (Mr. Stokes) objects to the Provincial Secretary for Resources Development—the one who has the responsibility of dealing with native rights—because there is a lack of sensitivity and, I think he used the word ignorance, on the part of the ministry and the minister, I think the Minister of Intergovernmental Affairs should take notice.

The reception I got in the estimates debate of the Provincial Secretary for Resources Development was very negative; somehow, I was personally attacking the provincial secretary. That is a lot of nonsense.

If this government wants to have any credibility at all in dealing with native rights, it must do so in a sensitive way. It must deal with those people in a sensitive way, and that is not what is happening.

I hope the Minister of Intergovernmental Affairs will take my comments in the right light because I believe he is going to get into trouble if he leaves native rights within the jurisdiction of the Provincial Secretary for Resources Development. I really believe that, and I believe we will all be embarrassed.

I hope that this does not occur because we have absolutely nothing to gain on this side with that kind of scenario. I am not saying this in a highly partisan way. We all will lose if that happens and I hope the minister understands that.

When this minister is dealing with Ottawa—which I assume he does quite a bit in his present portfolio—I wonder if he is ever able to talk turkey to them about the sharing of grant moneys for one-industry communities. I do not know whether that is within the jurisdiction of the minister or not.

The federal and provincial governments are both involved in aiding the economy of the Sudbury basin because of what has happened up there in the last year. To this point, there has been no long-term commitments made by this government on what is going on in Sudbury.

There was a commitment made by the provincial government to aid the private sector in the development of a mining machinery industry in Sudbury. That commitment was undertaken, then the federal government said: "We want a piece of the action, too. We want to get in and help on the mining machinery development in Sudbury." Quite frankly, it was politically sexy to do so at the time and the federal Minister of State for Mines wanted to be in on it. Now we find out, because of objections from the federal member for Nipissing and the provincial member for Nipissing (Mr. Harris), that it is not going to happen.

On the weekend, the federal Minister of State for Mines had a press conference and said, "Because of economic conditions, there is not going to be this development of a mining machinery corporation in Sudbury."

It was to be Inco, Noranda and a private developer named Norman Clark from North Bay, who helped build the Jarvis-Clark power corporation along with the federal and provincial governments. Here we have a situation where yet again no mining machinery will be built for the Sudbury community.

Mr. Boudria: Is this intergovernmental affairs?

Mr. Laughren: Yes. The Minister of Intergovernmental Affairs does not seem to understand that when they allowed the federal government to get involved in the grant for that operation our hopes were dashed of having a mining machinery operation in the Sudbury community.

Mr. Mancini: You want to speak to the Minister of Industry and Trade (Mr. Walker). That's why they can't get anything done in Sudbury; you speak to the wrong people.

Mr. Laughren: No. It had a lot to do—I was just going to sit down and allow that member's colleague to stand up but his heckling has prompted me to carry on.

The member for Essex South (Mr. Mancini) perhaps is a little sensitive that his federal colleague from North Bay was one of the ones who threw a monkey wrench into the potential of Sudbury having a mining machinery development. Perhaps that is what is making him a little annoyed.

I end my remarks there but encourage the minister to think about the question of wild rice and about having the respect of the native people; show them that this government has done something that is within its jurisdiction. The government can do that in a very short period of time by declaring an extension of the moratorium.

Mr. Boudria: Mr. Chairman, I had a question on the Franco-Ontarian issue but it being near closing—I will start to explain my question, or perhaps the minister would like to respond to the last member and then we can adjourn for the dinner hour.

Hon. Mr. Wells: All I would like to say is that I would be happy to discuss with my colleagues the member's observations on the wild rice matter. I think they are very interesting, and I would be happy to discuss them.

I do not think they legitimately fall within this ministry, certainly not at this time. There is no question that it is a matter of prime importance to the native people of this province. But as speakers have pointed out, the responsibility for those issues in the government is with the Provincial Secretariat for Resources Development. Our responsibility is to do the negotiating leading up to the first ministers' conference on aboriginal rights.

The Deputy Chairman: I remind the honourable members there is approximately one hour and 20 minutes remaining in these estimates.

The House recessed at 6 p.m.

ERRATUM

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